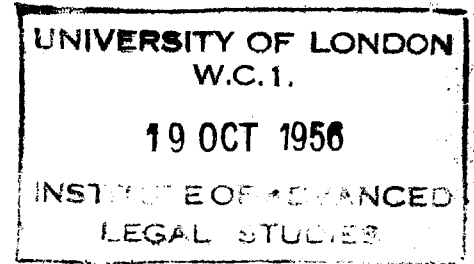


8,1897



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# EXTRACTS FROM STATUTES

Relating to

## The Manitoba and North-Western

## Railway Co. of Canada.

EXTRACTS FROM STATUTES.

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43 VICTORIA, 1880 (MANITOBA), CAP. XXXV.

An Act to incorporate the Westbourne and North Western Railway Company.

[Assented to 14th February, 1880.]

WHEREAS George Brown, Hon. W. N. Kennedy, Hon. C. P. Brown, John Smith, J. A. K. Drummond, James Cowan, David Young, Hon. D. M. Walker, John A. Davidson, William E. Sanford, George Winks and others have petitioned the Legislature for an Act of Incorporation to construct, equip and operate a railway and telegraph line, from some point on the Canadian Pacific Railway, between Poplar Point and the western boundary of the Province, thence running north westerly, east of the Riding Mountains, to the northern or western boundary of the Province, therefore, Preamble.

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Manitoba, enacts as follows :

1. George Brown, Hon. W. N. Kennedy, Hon. C. P. Brown, John Smith, J. A. K. Drummond, James Cowan, David Young, Hon. D. M. Walker, John A. Davidson, William E. Sanford, and George Winks, together with such other persons and corporations as shall become subscribers and shareholders in the company hereby incorporated, shall be and are hereby ordained, constituted and declared to be a body corporate and politic, in fact, by and under the name and style of the Westbourne and North Western Railway Company. Body corporate.

2. The said company and their servants shall have full power and authority to lay out, construct, make, finish and operate a double or single iron railway and an electric telegraph at their own cost and charges, commencing at a point on the Canadian Pacific Railway between Poplar Point, and the western boundary of the Province of Manitoba, thence running north westerly, east of the Riding Mountains, to the northern or western boundary of the Province, and the said company shall have power and authority to construct the different sections of the said railway in such order as they see fit, keeping in view the general direction as herein provided. Construction and locality of road.

Capital stock  
and mode of  
disbursement.

3. The capital stock of the company shall be one hundred thousand dollars, (with power to increase the same as hereinafter provided) to be divided into two thousand shares of fifty dollars each, which amount shall be raised by the persons hereinbefore mentioned and such other persons and corporations as may become shareholders in such stock; and the money so raised shall be applied in the first place toward the payment of all fees, expenses and disbursements for procuring the passing of this Act, and for making surveys, plans and the estimates connected with the railway; and all the rest and remainder of such money shall be applied towards the making, completing and operating and maintaining the said railway, and the other purposes of this Act.

Bonds how is-  
suable.

14. The directors of the said company shall have the power, upon being duly authorized by a vote of the majority of the shareholders in the said company, present in person or by proxy, at any general meeting of the shareholders, whereof notice shall have been given as aforesaid, and in which notice shall have been stated and published the object of such meeting, to issue bonds made and signed by the president and vice-president of the said company, and countersigned by the secretary and treasurer, and under the seal of the said company, for the purpose of raising money for prosecuting the undertaking; and such bonds shall be, and be considered to be privileged claims, upon the property of said company, and shall be a charge upon the said railway without registration; provided, however, that no such bond secured by such charge shall be issued until after fifteen per centum of the whole capital stock of the said company, as provided by this Act, shall have been expended in and upon the said railway, and provided, also, that the whole amount raised by such bonds shall not exceed two-thirds of the capital stock of the company.

## 44 VICTORIA, 1881 (MANITOBA), CAP. XLI.

An Act to amend 43 Vic., cap. 35, intituled : " An Act to incorporate the Westbourne and Northwestern Railway Company," and to legalize the By-laws of the corporation of the municipality of Westbourne and of the corporation of the town of Portage la Prairie granting aid to the said company by the issue of debentures.

[Assented to 25th May, 1881.]

WHEREAS it is expedient to amend the Act to incorporate the Westbourne and Northwestern Railway Company and confirm the proceedings of such company thereunder ;

Therefore the Legislative Assembly of Manitoba enacts as follows :

1. The second section of the said Act is hereby amended by striking out all the words after the word "at" in the fourth line to the word "Manitoba" in the sixth line, and inserting instead thereof the words "the town of Portage la Prairie" and by striking out of the seventh line the words "westerly" and "to" and inserting after the words "Province" in the seventh line, the words "as it will exist when the Acts extending the boundaries thereof come into force by the proclamation of the Governor-General with power to build and operate branch lines from the first mentioned point in an easterly or south-easterly direction to the south line of the county of Manchester and from some point between Westbourne and Beautiful Plains north-westerly in the direction of Lake Dauphin or Duck Mountains." Sec. 2 amend-  
ed.

10. The name of the said company is hereby changed to the "Portage, Westbourne, and North Western Railway Company," but this change of name shall in no wise affect the management, rights, liabilities or powers of the said company, and it shall be in every respect the same company as that incorporated under the name of the "Westbourne and North Western Railway Company." Name of the  
company  
changed.

## 48 VICTORIA, 1885 (MANITOBA), CAP. XLII.

## Railway Aid Act.

[Assented to May 2nd, 1885.]

Preamble. WHEREAS, the Legislative Assembly of Manitoba have established a scheme for aiding the construction of Railways.

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

Short title. 1. This Act may be cited and known as "The Railway Aid Act, 1885."

Aid to Manitoba railways not to exceed \$1 per acre. 2. Subject to the conditions of this Act, aid may be granted to Railway Companies of a sum not to exceed one dollar per acre on any lands granted in aid of any railways. Such railways to be constructed within the Province of Manitoba.

Granted by debentures. 3. Such aid may be granted by debentures to be issued by the Lieutenant-Governor in Council, and extending over a period not less than twenty, nor more than twenty-five years, and bearing interest at a rate not to exceed five per cent. per annum, payable semi-annually.

How such debentures signed. 4. Such debentures to be signed by the Provincial Treasurer and countersigned by the Provincial Secretary, and to have the seal of the Province affixed thereto, and the coupons upon such debentures may be signed by the Provincial Treasurer, or Deputy thereof, and counter-signed by the Provincial Secretary, or Deputy thereof.

Register and return of debentures. 5. The register of such debentures shall be kept by the Provincial Secretary and a return of any debentures that may be issued shall be made to the Legislative Assembly at each Session, within ten days of the opening thereof. Such debentures may be made payable at any place within the Province, or at such other place or places without the Province as the Lieutenant-Governor in Council may determine.

Where payable. 6. Aid may be granted to railways under this Act, and all such grants are respectively to be subject to the following conditions:—

Railway aid subject to conditions. (a) Upon the construction and completion of five continuous miles of road, after the passing of this Act, aid may be granted of a sum not exceeding one dollar per acre for each acre granted in aid of the said five continuous miles. Before such aid shall be granted, such railway company shall furnish such information as may satisfy the Lieutenant-Governor in Council of the actual construction and completion of such five miles.

C. P. R. to be the standard. (b) Such railway to be the standard of the Canadian Pacific Railway.

Proceedings before aid granted. 7. After such company has satisfied the Lieutenant-Governor in Council of the completion of such portion or portions of road, and before such aid shall be granted, such company shall transfer to the Provincial Treasurer of the Province, the land or warrants for the land so granted, or to be granted in aid of such railway.

How land or warrants transferred to Provincial Treasurer to be held. 8. Such land or warrants shall be held by the Provincial Treasurer in trust for the Province and may be disposed of in such manner from time to time and at such prices and upon such terms as the Lieutenant-Governor in Council may approve of.

9. The proceeds to be derived from the disposal of such land or warrants shall be held by the Provincial Treasurer and shall be applied by him for the purpose of paying the interest and charges upon and redeeming the debentures to be issued by the Province in payment of such aid. How proceeds of such land, etc., held and applied.

10. Whenever any company has, before the passing of this Act land or warrants for land grants already earned such company shall not have the right to sell such land or warrants for land in preference to the land or warrants for land held by the Government, but in case any such sale is made the Government shall be entitled to one half of the proceeds of every sale after the passing of this Act until such aid is paid up. Company holding land, etc., before this Act passed.

11. Any company so aided shall furnish to the Lieutenant-Governor in Council, upon request, and within thirty days of such request, such information as to the progress of the works of the railway of the company as may from time to time be required, and also such statistical or other details, accounts and information, and statements of earnings and expenses, or other information as may from time to time be required from them by the Lieutenant-Governor in Council. Company aided to give all required information to Governor in Council.

12. No company so aided shall at any time remove the iron or steel rails from any portion of the railway without the consent of the Lieutenant-Governor in Council first having been obtained. Rails, etc., not to be moved without permission of Governor in Council.

13. No aid shall be granted to any railway company unless the Lieutenant-Governor in Council be satisfied that the company can and will complete their undertaking. Aid in the discretion of the Governor in Council.

14. Such aid so to be granted shall be granted by the Lieutenant-Governor in Council and shall not exceed seven thousand five hundred dollars per mile. How aid granted. To what amount.

15. So long as such aid so granted, and any interest thereon remain unpaid, the Company so aided shall pay into the treasury of the Province three per cent. of the gross earnings of the Company over that portion of the road so aided by the Province, which shall be in lieu of all taxes Provincial or otherwise, and during the currency and until repayment of such aid by the Company, its roadbed, ties, rails, station, houses, rolling stock and lands and all the other real and personal estate shall for the portion of the road so aided be exempt from all other Provincial and Municipal taxation whatsoever. Aided company to pay 3 per cent. of earnings over portion aided to the Province. Exempted from taxation.

## 49 VICTORIA 1886 (MANITOBA) CAP. XLIX.

An Act respecting aid granted to Railways, under the Railway Aid Act, 1885, and for making provision with regard to the same.

[Assented to 28th May, 1886.]

Preamble and recitals.

WHEREAS, by Orders-in-Council, passed on the first and fifteenth days of June, and on the seventh of July last (A.D. 1885), and numbered 1759-c, 1784-c, and 1797-c, respectively, it was in effect recited, stipulated and ordered, with reference to aid granted under the Railway Aid Act, 1885, to the Manitoba and the North Western Railway Company of Canada, as follows, that is to say :—

O. in C. of Gov.-Gen. in Council 6 May, 1885.

1. "That under Orders-in-Council of the Governor-General of Canada in Council, bearing date respectively the fourth day of October, A.D. 1884, and the sixth day of May, A.D. 1885, and which are hereto annexed, the said Company is entitled to a land grant as is therein fully set forth ;

Road to be built.

2. "That the said Company has satisfied your Committee of its *bona fide* intention to immediately proceed with the construction of the line of the road from the present terminus at Minnedosa westwardly to the western boundary of this Province, and has assured your Committee that it is prepared to construct and complete at least fifty miles of the same during the present season, so that the crop of 1885 can be moved by the Company.

Aid requested.

3. "That the Company has, under the provisions of the Railway Aid Act, 1885, above mentioned, applied for aid to the extent of seven thousand five hundred dollars (\$7,500) per mile of construction, by the issue and delivery to them of Provincial Debentures for the said amount, bearing interest at the rate of five per centum per annum, repayable not less than twenty (20) years from the date of the issue of such debentures.

Aid to be granted.

4. "Your sub-Committee submit that in their opinion the aid asked for to the extent of seven thousand five hundred dollars (\$7,500) per mile should be granted, subject to the conditions hereinafter mentioned, and recommend as follows :—

For 50 miles.

5. "That aid be granted under the said Act to the Manitoba and North Western Railway Company of Canada to an extent not exceeding seven thousand five hundred dollars (\$7,500) per mile of road, to be constructed and completed, beginning at the present terminus at Minnedosa and proceeding westwardly upon the line of construction of said road as it is or may be located ; such aid for the present to be granted only to the extent of fifty miles.

Debentures to be issued.

6. "That the said aid be granted by the issue and delivery to the Company of Provincial Debentures under date of July 2nd, 1885, bearing interest at the rate of five per centum per annum, payable half yearly on the first days of January and July in each year, the principal to be repayable on the first day of July, A.D. 1910, and the principal and interest to be payable at some place in the City of London, in that part of Great Britain called England.

Coupons.

7. "That coupons for the half-yearly interest be attached to the said debentures.

Denominations.

8. "That the said Debentures shall be in sums of Two Hundred Pounds Sterling money of the Realm, or One Thousand Dollars Canadian currency, each.



9. That the said debentures shall be delivered to the Company to the extent of one dollar for every acre of land, upon the said Company duly and properly issuing its land warrants to the Government for the lands so to be granted by the Dominion Government, in the proportion of one acre of land for every dollar so issued in debentures by way of aid. Said lands to be free of encumbrance, except the sum of ten cents (10c.) per acre to be paid to the Dominion Government. The Company to fully comply with all the other terms and conditions of said Railway Aid Act, and to pay all expenses that may be incurred in connection with the issue of said debentures and sales of said lands. Land Warrants.

10. "That the said debentures to the amount of \$375,000 be issued forthwith, and delivered to the Merchants Bank of Canada, in conformity with the desire of said Company, who shall be empowered and are hereby authorized to negotiate and sell the same at such time or times and for such price or prices as the said bank shall deem advisable; and the proceeds of the sales of such debentures, after deducting all expenses, shall be deposited in the branch of the said bank in the City of Winnipeg to the credit of the Provincial Treasurer, and on the construction and completion of each ten miles of the said Railway westwardly from Minnedosa, the said Provincial Treasurer shall pay over to the said Company the proceeds of the sale of \$75,000 worth of said debentures in aid as aforesaid, after deducting all expenses; subject however to the qualification referred to in the next clause. Debentures delivered to Merchants Bank.

11. "That all interest accrued up to the date of the delivery of the debentures to the Company to be recouped to the Government in cash, or all coupons representing such interest to be detached," Interest recouped.

If the proceeds of the sale of said debentures after deduction of expenses shall realize a sum less than par eighty per cent. of any such shortage, shall be deducted from the first cash payment to the Company, and as each payment as aforesaid is earned, the Company shall with such payment be entitled to receive twenty per cent. of such shortage.

The interest which may be allowed upon any deposit of shortage so retained shall be paid to the Company with the last payment of aid.

If the Company shall fail to construct and complete fifty miles of road in accordance with the terms of the said Order-in-Council, the Company shall forfeit any right to any portion of such shortage and interest thereon not already paid over, and whereas, on September 12th, 1885, the Honorable the Attorney General submitted to the Executive Council the application of the Manitoba and North Western Railway Company of Canada asking that the aid for the first thirty miles, which they would become entitled to under the provisions of the Railway Aid Act and of the Orders in Council granting such aid might be paid direct to the Merchants Bank of Canada on the account of the said Company as soon as the respective sections of the said thirty miles would have been completed and accepted by the Government, and it was thereupon ordered by the Lieutenant-Governor-in-Council that the Provincial-Treasurer be authorized to pay over to the said Merchants Bank of Canada the amount the said Company may so become entitled to and to accept any draft or drafts or sign any other instrument which may be necessary, subject however, to the conditions and provisions before mentioned. Forfeitures.

3rd Oct. 1885. "AND WHEREAS, on October 3rd, 1885, the sub-committee of the Executive Council appointed to consider the petition of the Manitoba and North Western Railway Company of Canada for aid under the terms of the Railway Aid Act of 1885, submitted to Council the following report :—

Further grant requested. "That the said Company have asked for a further grant of aid under the said Act of seventy-five hundred dollars (\$7500) per mile for ten miles of road in addition to the fifty miles for which Government aid has already been granted, such ten miles to be a continuation and extension of the said fifty miles and the issue of Provincial Debentures therefore."

"That one and one-half miles of the said additional ten miles have already been graded and that the same will be completed during the present year."

"That the balance of the said ten miles of road will be completed not later than the first day of September, A.D. 1886, so as to reach the town of Birtle."

Accepting drafts, etc. "That in order to facilitate the construction of the same the Company are desirous that the Honorable the Provincial Treasurer should be authorized to accept the orders or drafts of the Company for such sums as the said Company may issue their orders or drafts, not exceeding in the whole ninety-five (95) per cent. of the said grant payable when the said grant is earned, and on their recommendation it was ordered as follows, by the Lieutenant-Governor-in-Council, that is to say :—

10 miles subsidized 1 "That aid be granted under the said Act to the Manitoba and North Western Railway Company of Canada to the extent of seventy-five hundred dollars (\$7500) per mile of road to be constructed and completed beginning at the western terminus of the fifty (50) miles of road for which aid has already been granted and proceeding westwardly on the line of construction of the said road for a distance of ten miles.

Debentures to issue. 2. "That the said aid be granted by the issue of Provincial Debentures under date of the second day of July, A.D. 1885, bearing interest at the rate of five per centum per annum payable half yearly on the first days of January and July in each year, principal to be repayable on the first day of July, A.D. 1910, and the principal and interest to be repayable at Clydesdale Bank in the city of London, England."

Coupons. 3. "That coupons for the half-yearly interest be attached to the said debentures."

Denominations. 4. "That the said debentures shall be in sums of two hundred pounds (£200) sterling money of the Realm."

Land warrants, etc. 5. "That the said debentures or the proceeds thereof shall be deliverable or payable to the Company to the extent of one dollar (\$) for every acre of land on the said Company duly and properly issuing its land warrants to the Government for the lands granted or to be granted to it by the Dominion Government, as set out in the orders in council of the Governor-General of Canada-in-Council, bearing date respectively the fourth day of October, A.D. 1884, and the sixth day of May, A.D. 1885, in the proportion of one acre of land for every dollar so issued in debentures by way of aid, the said lands to be free from encumbrances except the sum of ten cents (10c.) per acre to be paid to the Dominion Government."

6. "That the said debentures to the amount of seventy-five thousand dollars be issued forthwith, and delivered to the Merchants Bank of Canada, who shall be empowered and are hereby authorized to negotiate and sell the same at such time or times and for such price or prices as the said bank shall deem advisable and the proceeds of the sales of such debentures after deducting all expenses shall be deposited in the branch of the said bank in the city of Winnipeg to the credit of the Provincial Treasurer, and upon the construction and completion of the said ten miles of the said railroad the said Provincial Treasurer shall pay over to the said Company, the proceeds of the sale of the said \$75,000 of debentures for aid as aforesaid after deducting all expenses."

Debentures delivered to Merchants Bank.

7. "That the said Provincial Treasurer be authorized to accept the orders or drafts of the said Company to an amount not exceeding ninety-five per cent. of the said sum of \$75,000 payable on the construction and completion of the said ten miles of road under the terms of this report, but so as that the said orders or drafts shall not become payable unless the said ten miles shall be constructed under the terms of this report, and that the amount of any such orders or drafts so accepted shall when payable be deducted from the proceeds of the sale of the said debentures so to be deposited in the Merchants Bank of Canada."

Accepting drafts, etc.

"AND WHEREAS on November, 12th, 1885, the Honorable the Provincial Treasurer submitted to the Executive Council a letter from F. H. Brydges, Esq., Secretary to the Manitoba and North Western Railway Company, requesting on their behalf that the Order in Council of the 7th July, 1885, numbered 1797c. be amended so that the Merchants Bank may be empowered to deliver the Provincial Debentures covering the construction of the fifty-one and one-half (51½) miles west from Minnedosa, straight to the Railway Company instead of handing the proceeds to the Government to be by them repaid again to the Railway Company, as the necessity for this condition has ceased through the completion of the 51½ miles of Railway above referred to, also requesting that the number of bonds to be handed to the Railway Company be three hundred and ninety-seven (397) which would overpay the Company to the extent of one hundred and sixty-three dollars and thirty-three cents (\$163.33) for which a cheque would be given by the Company to the Government, and thereupon it was ordered by the Lieutenant-Governor-in-Council;

12 Nov. 1885.

"That the request of the Manitoba and North Western Railway Company be granted to the extent that the debentures of the Province of Manitoba, series "A" from one (1) to three hundred and ninety-six (396) inclusive, amounting in all to the sum of seventy-nine thousand two hundred pounds (£79,200) be handed over to the Merchants Bank for the Railway Company, on their transferring to the Province their right to three hundred and eighty-five thousand four hundred and forty (385,440) acres of the land earned by them from the Government of Canada by the construction of their Railway to the present terminus in the vicinity of the Bird Trail Creek it being understood that the par rate of exchange is \$4,8666."

Series of Debentures to issue.

AND WHEREAS it was ordered by His Honor the Lieutenant-Governor-in-Council, on November 16th, 1885, "That the Honorable the Provincial Treasurer be authorized to sign a contract with the Manitoba and North Western Railway Company, to hand over to the said Company, and subject to their order, the Debentures of the Province Class "A," to the amount to which they are entitled under "The Railway Aid Act, 1885," said debentures payable at the office of the Clydesdale Bank, Limited, in the City of London, England, payable on the first day of July, 1910; interest at the rate of five per cent. payable at the same place, half-yearly, on the first days of January and July, each debenture being of the denomination of £200 sterling, and issued under and by virtue of an Act, chaptered 42 of the statutes of Manitoba, passed in the 48th year of the reign of Her Majesty Queen Victoria."

16 Nov. 1886.

6th Mar. 1886 AND WHEREAS it was ordered by His Honor the Lieutenant-Governor-in-Council, on March 6th, 1886. "That, in order to give adequate security to the holders of the bonds of this Province, issued and to be issued under the provisions of "The Railway Aid Act, 1885," and granted as aid to the Manitoba and Northwestern Railway Company of Canada, the following be made conditions with reference to the security held by the Government of Manitoba for the aid granted to the said Railway Company, as aforesaid, that is to say:—

"1st. That the Government of Manitoba will not, during the period of twenty-five years from the date of said bonds, exercise their right to sell the lands of the said Company, held by them as security for the aid so granted, at a price less than two dollars and fifty cents per acre."

Intention of  
Railway Act  
declared. "2nd. The correct intent and meaning of the clauses of "The Railway Aid Act, 1885," so far as the provisions relate to sales of land made by the said Company, is as follows, that is to say:—The Government shall be entitled to half the proceeds of all such sales, the Company retaining the other half.

Cancelation  
of land  
warrants. "3rd. Upon the receipt of their share of the proceeds of any such sales, or of any other moneys refunded by the Company on account of the aid granted, the Government of Manitoba will return and deliver to the said Company land warrants to the extent of one acre for every dollar, with accrued interest thereon, so repaid on account of such aid; and all payments so made to the Government shall be credited on account of the aid so granted to the said Company, and the acreage mentioned in such warrants so released to the Company shall be deducted from the lands assigned by the Company to the Province."

Indentures of  
12 Nov. 1885. "AND WHEREAS, in pursuance of the Orders-in-Council above recited, and for the purpose of carrying out the intention thereof and of the Railway Aid Act, 1885, in a manner to secure the greatest possible advantage to the Company and at the same time obtain adequate security for the repayment of the aid so granted, two certain agreements in writing were made and entered into by the Manitoba and Northwestern Railway Company of Canada with and in favor of Her Majesty the Queen, in the words and figures following, that is to say:—

"THIS INDENTURE, made in duplicate this twelfth day of November, A.D. 1885, between The Manitoba and Northwestern Railway Company of Canada of the first part, and Her Majesty the Queen, represented herein by the Honorable John Norquay, Provincial Treasurer, of the second part.

"Whereas, under and by virtue of an Order-in-Council of the Governor-General of the Dominion of Canada in Council, dated the fourth day of October, A.D. 1884, Two Millions Seven Hundred and Fifty-two Thousand (2,752,000) acres of land were set aside and reserved out of the Public Lands of the Dominion of Canada, for the said Railway Company;

"And whereas, under the said Order-in-Council and subsequent Orders-in-Council of the said Governor-General of Canada in Council, the said Company have already earned and are entitled to a conveyance of Six Hundred and Twenty Thousand (620,000) acres of the said land as a free grant, subject to the terms and conditions of the said grant as set out in the said several Orders-in-Council;

“ And whereas, under and by virtue of an Act of the Legislature of the Province of Manitoba, designated as “ The Railway Aid Act, 1885,” the Government of the Province of Manitoba have caused debentures to be issued, amounting in the aggregate to the sum of Seventy-nine Thousand Two Hundred (79,200) Pounds Sterling, in aid of the said Railway, in accordance with the provisions of the said Act ;

“ And whereas the said Railway Company are desirous of transferring to the said Government of Manitoba out of the said Six Hundred and Twenty Thousand (620,000) acres of land so earned by them, Three Hundred and Eighty-five Thousand Four Hundred and Forty (385,440) acres thereof, as security for the repayment of the debentures so issued, which said debentures are deliverable to the said Railway Company on the terms mentioned in the several Orders-in-Council of the Lieutenant-Governor of Manitoba in Council, passed in respect thereof ;

“ Now, therefore, this indenture witnesseth :

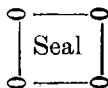
“ That the said Railway Company, in consideration of the premises, do hereby grant and surrender to Her Majesty the Queen, represented as aforesaid, and to her successors and assigns, Three Hundred and Eighty-five Thousand Four Hundred and Forty (385,440) acres of land out of the said Six Hundred and Twenty Thousand (620,000) acres of land so already earned by the said Railway Company, to hold the same subject to the terms and conditions of the said various Orders-in-Council of the Lieutenant-Governor of Manitoba in Council in respect of the said aid granted to the said Railway Company as aforesaid, and do hereby authorize, empower and request the Government of the Dominion of Canada to transfer the right of the Railway Company to the Province of Manitoba out of the said Six Hundred and Twenty Thousand (620,000) acres of land, the said Three Hundred and Eighty-five Thousand Four Hundred and Forty (385,440) acres of land.

And the said Railway Company covenant and agree to transfer and assign the said Three Hundred and Eighty-five Thousand Four Hundred and Forty (385,440) acres of land to the Government of Manitoba, or such person or persons as the Lieutenant-Governor-in-Council shall designate, by such other document or documents as the said Lieutenant-Governor-in-Council shall require, said land, if sold by the Government, to be accounted for from time to time to the Company till the said loan and all interest and charges in connection therewith shall be fully paid.

In witness whereof the said Manitoba and Northwestern Railway Company of Canada has caused its corporate seal to be affixed hereto, and these presents to be signed by the Vice-President.

(Signed,) D. MACARTHUR,  
Vice-President.

(Signed,) Attested, F. H. BRYDGES,  
Secretary.



\_\_\_\_\_

O. in C. 4 May  
1886

COPY OF A REPORT of a Committee of the Executive Council, approved by His Honor the Lieutenant-Governor, on May 4th, 1886 :

“The Sub-committee of the Executive Council appointed to consider the application of the Manitoba and Northwestern Railway Company of Canada for aid under the ‘Railway Aid Act, 1885,’ for thirty miles of the line beyond the town of Birtle, submit to Council the following report :

“The undersigned to whom was referred the letter of Duncan MacArthur, Vice-President of the Manitoba and Northwestern Railway Company of Canada, asking for aid under the ‘Railway Aid Act, 1885,’ for the next 30 miles of the line beyond the Town of Birtle, and also the letter of E. P. Leacock, Esq., Member for Birtle, dated the 26th ult., together with the minutes of a public meeting held at Russell on the 24th ult., called by the said E. P. Leacock, M.P.P., to consider railway matters, and also a communication received since the appointment of Your Committee from Duncan MacArthur, dated the 29th ult., in reference to the building of a branch line into the county of Russell, beg to report as follows :

“After duly considering all the circumstances of the Railway Company and the necessity of railway facilities being extended into the County of Russell, as also the effect that the refusal on the part of the Government to grant the aid asked for would have upon the people of the county of Russell, who have so long and so patiently waited for the advent of a railway into their midst, and also the assurance given by the Company through their Vice-President, Duncan MacArthur, that the accrued interest would be paid and the accruing interest would be met as it matured.

“Your Committee would recommend that aid be granted to the said Company on thirty miles of the main line within the Province as requested by them and that the debentures of the Province covering the amount of \$7,500 per mile of thirty miles of the said line be issued and delivered to the Company.

“Your Committee would also report that while it appears to them expedient to recommend the granting of aid on the thirty miles of the main line they do so with a view to enable the Company to complete their negotiations in London which would be imperilled by a refusal. While they do so they consider that the extension of a branch line into the county of Russell is of more importance to the people Provincially and will bring the railway more within reach of those that they are anxious to serve, than by aiding the extension to reach the western confines of the Province, and would therefore suggest that while they recommend the granting of aid for the main line to the extent of thirty miles they do so with the understanding that at least ten miles of a branch line in a northerly direction from a point on the main line at least ten miles from the western boundary of the Province be constructed by the Company this year without receiving any further aid from this Government, and that the said debentures be handed to the said Company on the completion of the said thirty miles.

“Committee advise,

“That the foregoing report of the Sub-Committee and the several recommendations therein contained be concurred in.”

AND WHEREAS under the provisions of the said "Railway Aid Act, 1885," aid was granted towards the construction of certain portions of the road of the Manitoba Southwestern Colonization Railway Company on the terms and conditions contained in the said Act and the Orders-in-Council and agreements relating to the granting of such aid to the said Manitoba Southwestern Colonization Railway and are as follows, that is to say :—

Man. S. W.  
Col. R way  
Co.

AND WHEREAS it is advisable that the said Orders-in-Council and agreements should be concurred in and confirmed by the Legislature of Manitoba and provision made respecting the debentures issued or which may be issued under the said Railway Aid Act, 1885, and any Acts amending the same and for the disposition and management of lands and land warrants or any rights thereto now held or which may be hereafter held by the Province in virtue of the said Acts and its amendments.

THEREFORE HER MAJESTY by and with the advice and consent of the Legislative Assembly of Manitoba enacts as follows :—

1. The several provisions of the said Orders in Council and agreements, and the Orders in Council and agreements in the preamble of this Act, set forth or referred to are hereby declared valid and binding in all respects, and shall be read and construed as having been so made and passed in conformity with the provisions and the true intention of the Railway Aid Act, 1885.

Orders-in-  
Council, .  
agreements,  
etc., ratified.

2. The debentures issued as aforesaid, by authority of the Lieutenant-Governor-in-Council, in aid of the Manitoba and Northwestern Railway Company of Canada, and of the Manitoba Southwestern Colonization Railway Company to the amount of one million two hundred and eighty-six thousand two hundred and fifty dollars (\$1,286,250) are hereby declared to have been legally issued, according to the intention and meaning of the Railway Aid Act, 1885, and to be valid and binding upon the Province; and that the principal and interest thereof shall be payable out of the Consolidated Revenue Fund of Manitoba as the same shall become due and payable.

Debentures  
legalized.

3. The Lieutenant-Governor-in-Council may from time to time, on the report of the Provincial Treasurer, grant to any Railway Company to which aid has been or may be granted, in the manner hereinbefore and in the said Railway Aid Act, 1885, set forth, permits for the sale of any portion of the land or land warrants held by the Provincial Treasurer in trust for the Province as security for any aid so granted, upon such terms and conditions as the Lieutenant-Governor-in-Council may deem expedient.

Permits for  
sales of lands.

4. Any permission or authority granted by this Act or by of the Orders-in-Council or agreements referred to herein to any such Railway Company respecting the sale or disposal of any such lands or land warrants, shall be valid; and the agreement authorized to be executed under the report of a committee of the Executive Council, approved on January 25th, 1886 (E), shall be considered as having been executed with provisions similar to those of the agreement with the same railway company as in the preamble hereto set forth.

Permits and  
agreements  
heretofore  
made

5. All matters connected with railways, over which the Government of Manitoba by any Act, agreement, or otherwise may have any control, shall be administered by such member of the Executive Council of the Province of Manitoba as may be designated by the Lieutenant-Governor-in-Council, and for the purpose of this Act, such member shall be known as the Railway Commissioner in addition to any other title or appellation by which he may be known as a member of the said Executive Council.

Railway  
Commis-  
sioner.

6. This Act shall come into force on the day of its sanction.

Act in force.

## 53 VICTORIA, 1890 (MANITOBA), CAP. 27.

## An Act Respecting the Manitoba and Northwestern Railway Company of Canada and the Government of the Province of Manitoba.

[Assented to 31st March, 1890.]

## Preamble.

WHEREAS, under Chapter 42 of 48 Victoria, being the Railway Aid Act, the Government of Manitoba have aided the Manitoba and Northwestern Railway Company of Canada to the extent of \$787,426.67 of bonds, being \$673,786.67 on the main line, \$64,000.00 on the Shell River branch and \$49,640.00 on the Saskatchewan and Western Railway ;

And whereas, the lands have not been transferred to the Provincial Government in accordance with the provisions of said Act, but land warrants of the said Railway Company to the extent of 789,120 acres have been delivered by the said Manitoba and Northwestern Railway Company to the Provincial Government ;

And whereas, by chapter 49 of 49 Victoria, an Order-in-Council of the 6th March, 1886, set out in said Act, was declared valid and binding in all respects ;

And whereas, the interest upon the said bonds of the Provincial Government has fallen into arrear and has been paid by the said Government to the amount of \$139,785.68 ;

And whereas, it has been agreed between the said Company and the said Government that the said Company would do their best to procure the endorsation of said land warrants by the Dominion Government with an agreement on the part of the said Dominion Government that the Province may at any time select and have transferred to it, lands to the amounts mentioned in warrants, that they will furnish to the Provincial Government monthly statements of all patents issued to said Company and will not patent to said Company or their assignees more than five thousand acres of land in any month without the consent of the Provincial Government, and will also agree that in case this new agreement with the Railway Company is not carried out by such Company that then the Dominion Government will on their part carry out the provisions of the said Railway Aid Act without any further consent from the said Railway Company, and the Railway Company will within six weeks from the coming into force of this Act pay or satisfactorily secure to the said Provincial Government all said arrears of interest and compound interest upon the same and the interest half-yearly upon said bonds as the same falls due, and will also hand over to the Provincial Government one-half the proceeds of all sales of land earned by the construction of the line east of Langenburgh, including one-half of the proceeds of all sales of land sold after the passing of the Railway Aid Act. Upon receipt of said half of the proceeds the Provincial Government to release one acre of land for every dollar and accrued interest paid. That the said Company will arrange at once for the selection of lands to cover the advance in connection with the Saskatchewan and Western Railway and Shell River branch, such lands to be satisfactory to the Provincial Government. The Company agrees not to sell any lands at less than two dollars per acre without the consent of the Government. The Government agrees not to select or ask for transfer of any other lands unless and until this agreement is broken by said Company.



And whereas, it is considered necessary, in order to insure the carrying out of said agreement, and to protect the interest of the Province in case such agreement is not carried out, that said Order-in-Council of the 6th March, 1886, should be rescinded :

NOW THEREFORE, Her Majesty, by and with the advice and consent of the Legislative Assembly of Manitoba, enacts as follows :

1. That said agreement on the part of the Provincial Government is hereby ratified and confirmed. Agreement set out in preamble ratified.

2. That in case the Manitoba and Northwestern Railway Company of Canada at any time fail to carry out the provisions of said agreement or any of them, or in case the Dominion Government refuse to comply with the stipulations of said agreement, then at any time thereafter the Lieutenant-Governor-in-Council may by proclamation declare that said Order-in-Council of the 6th March, 1886, shall thereafter be null and void notwithstanding the said Chapter 49 of 49 Victoria. Provisions in case Ry. Co. or Dominion Government do not carry out agreement.

3. This Act shall come into force immediately on being assented to. When Act to come into force.

56 VICTORIA 1893 (MANITOBA) CAP. 21.

An Act respecting the Manitoba and North Western Railway Company of Canada.

[Assented to March 11th, 1893.]

WHEREAS the Government of Manitoba in pursuance of the Railway Aid Act, 1885, and amendments thereto did heretofore cause to be issued the bonds of the Province of Manitoba in aid of the Manitoba and North-Western Railway Company of Canada to the amount of \$786,494.27, and did cause the said bonds to be handed over to the said Company who have sold and disposed of the same. Preamble.

AND WHEREAS the said Company have deposited with the Government of Manitoba the sum of \$86,560.00 to be applied upon the redemption of the said bonds when due.

AND WHEREAS the Government of Manitoba has advanced up to the 28th day of December, A.D. 1892 out of Consolidated Revenue for payment of interest upon the said bonds the sum of \$215,041.04.

AND WHEREAS there is now due and owing to the Province by the said Company for interest and compound interest to the 28th day of December, A.D. 1892, the sum of \$235,915.03, which when added to the amount of the said bonds, after deducting the said sum of \$86,560.00 so deposited as aforesaid, leaves the total amount which the Government has advanced with interest and the total amount of its liability together the sum of \$935,849.30.

AND WHEREAS a proposition has been made on behalf of the said Railway Company and the holders of the bonds of the said Company for a settlement of the said debt by the Government of Manitoba taking over in lieu thereof 467,924.65 acres of land, partly situated in the Province of Manitoba and partly situated in the Northwest Territories of Canada.

THEREFORE Her Majesty by and with the advice and consent of the Legislative Assembly of the Province of Manitoba enacts as follows :—

Government authorized to accept land in settlement of Company's debt.

1. It shall be lawful for the Government of Manitoba to accept a conveyance, directly or in trust, in fee simple or a transfer satisfactory to said Government free from all claims and encumbrances, of 467,924.65 acres of the land grant of said Company, partly situated in Manitoba and partly situated in the Northwest Territories of Canada, in full settlement of and compensation for all sums of money which have heretofore been advanced by the Government of Manitoba and which are now due or owing to said Government by the said Company and of the liability for the said bonds issued in aid of said Company as aforesaid, and thereafter the said bonds shall be a charge upon the Consolidated Revenue Fund of the Province only, and there shall be no liability on the part of the said Company, or the assets, revenues or land grant thereof save only the land so conveyed in respect of the principal and interest thereof.

Condition precedent to settlement.

2. Such conveyance or transfer shall not be taken to be accepted under the provisions of this Act unless and until an order shall be passed by the Lieutenant-Governor-in-Council accepting and approving the same, which Order-in-Council may be passed upon the Lieutenant-Governor-in-Council being satisfied that the same will enable the Company with such other assistance as the Company may be able to obtain to extend their line of railway to a point at or near Prince Albert in the Northwest Territories of Canada, and thereafter efficiently to operate and maintain the said railway. Said Order-in-Council shall not be passed until the Lieutenant-Governor-in-Council is satisfied that due provision has been made for the exemption from all taxation of such portion of the lands so taken as may be situate outside of the Province. Such exemption shall continue for a period of not less than twenty years from the date of passing of this Act or such shorter period as the same may be held by or in trust for the Government of Manitoba.

Case of lands being released

3. In case any land is released by the Government of Manitoba in pursuance of the Railway Aid Act, 1885, and amendments thereto, and the Acts relating to the said Company, the number of acres required to be transferred to the Government under Section one of this Act shall be reduced by the number of acres so released.

When Act shall come into force.

4. This Act shall come into force on the day on which it is assented to.

## 49 VICTORIA 1886 (MANITOBA) CAP. LIX.

## An Act to Incorporate the Saskatchewan and Western Railway Company.

[Assented to 19th April, 1886.]

**W**HEREAS the construction of a Railway from some point on The Manitoba and North-western Railway at or near the town of Minnedosa, in the Province of Manitoba, to Rapid City, thence westerly to the Assiniboine river is desirable. Preamble.

*And Whereas* a petition has been presented for the incorporation of a company for the purpose of constructing and operating the same, and of owning and operating lines of telegraph and telephone along the line of the said railway, and it is expedient to grant the prayer of such petition.

THEREFORE—

Her Majesty, by and with the advice and consent of the Legislative Assembly of Manitoba, enacts as follows :

1. The Honorable John Sutherland, Kenneth McKenzie, David H. Harrison, James H. Ashdown and Heber Archibald, together with all such persons and corporations as shall become shareholders in the company hereby incorporated, shall be and are hereby constituted a body corporate and politic by and under the name of "The Saskatchewan and Western Railway Company." Name of Company.

2. The said Company shall have full power and authority to lay out and construct a double or single iron or steel railway from some point on the Manitoba and North-western Railway at or near the town of Minnedosa, to be fixed by the Lieutenant-Governor-in-Council, to Rapid City: thence in a westerly direction to the Assiniboine river, within the Province of Manitoba; and also to build and operate such branch lines of railway from the above described line as may from time to time be approved by the Lieutenant-Governor-in-Council. Powers of Company as to construction of railways.

14. The directors of the said Company, under the authority of the shareholders to them given, by a resolution of a special general meeting called for that purpose, are hereby authorized to issue bonds, under the seal of the said Company, signed by its president, or other presiding officer, and countersigned by its secretary or treasurer, and such bonds shall be made payable at such times and in such manner and at such place or places in Canada or elsewhere, and bearing such rate of interest as the directors shall think proper, and the directors shall have power to issue and sell or pledge all or any of the said bonds at such price and upon such terms and conditions as they may see fit for the purpose of raising money for prosecuting the said undertaking; and the said bonds hereby authorized to be issued, shall without registration or formal conveyance, constitute a first mortgage and privilege upon the said undertaking, and upon the said railway constructed, and to be thereafter constructed, and upon the property of the Company acquired or which may be thereafter acquired, excepting therefrom municipal bonuses, and upon its tolls and revenues derived from operating the said railway, after deduction from such tolls and revenues of working expenses, and upon the franchise of the Company, save and except as hereinafter provided for, and each holder of the said bonds shall be deemed to be a mortgagee upon the said securities *pro rata* with the other bondholders and shall have priority as such, provided that the amount of bonds so issued, sold, or pledged, shall not exceed twenty Issue of bonds.

Proviso as to  
mileage limit.

thousand dollars per mile to be issued in proportion to the length of railway constructed, or under contract to be constructed. Provided also that no such bonds shall be issued until at least one hundred thousand dollars shall have been subscribed to the capital stock, and ten per centum of the same *bona fide* paid thereon; but notwithstanding anything in this Act contained, the Company may secure the bonds to be issued by them by a mortgage deed, creating such mortgages, charges, and incumbrances upon the whole or any trust of such property assets, rents and revenues of the Company, present or future, or both, as shall be described in the said deed, but such rents and revenues shall be subject in the first instance to the payment of the working expenses of the railway, and by the said deed, the Company may grant to the holders of such bonds, or to the trustee or trustees named in such deed, all and every the powers and remedies granted by this Act in respect of the said bonds, and all other powers and remedies not inconsistent with this Act; or may restrict the bondholders in the exercise of any power, privileges or remedy granted by this Act, *as the case may be*, and all such powers, rights and remedies as shall be so contained in such mortgage deed shall be valid, binding and available to the bondholders in manner and form as therein provided.

Leasing  
powers.

20. It shall be lawful for the Company to enter into an agreement with any other Company for conveying or leasing to such the railway of the Company hereby incorporated, or for leasing or hiring from such other Company any other railway or part thereof, or the use thereof, and for any period or term, or for the leasing or hiring any locomotives, cars, or movable property, and generally to make any agreement with any other Company touching the use of the railway, or of the railway of the other Company, or the movable property of the other Company, or touching or concerning any service to be rendered by the one Company to or for the other, and the compensation therefor, provided, that any such agreement, lease or contract in this section mentioned or referred to shall be first approved of and authorized by the shareholders of the Company at an annual general meeting or special general meeting called for that purpose.

45 VICTORIA, 1882, (CANADA) CAP. 80.

An Act respecting the Portage, Westbourne and North Western  
Railway Company.

[Assented to 17th May, 1882.]

Preamble.

43 V., (Man.)  
c 41.

Recital.

WHEREAS by an Act of the Legislature of the Province of Manitoba passed in the forty-third year of Her Majesty's reign, intituled "*An Act to incorporate the Westbourne and North-Western Railway Company*," the persons therein named were incorporated under the name of the Westbourne and North-Western Railway Company for the purpose of building a line of railway from some point on the Canadian Pacific Railway to the northern or western boundary of the Province, with the powers and privileges in the said Act contained; and whereas the said Railway Company have commenced the construction of the railway from Portage la Prairie in the said Province in a north-westerly direction, and have thirty-five miles thereof about completed; and whereas the said Company have, by their petition, prayed that they may be authorized and permitted to extend their line of railway into the North-West Territories in a north-westerly direction, with the necessary powers for such purpose; and

whereas it is expedient that the prayer of the said petition be granted : Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

1. The Westbourne and North-Western Railway is hereby declared to be a work for the general advantage of Canada. Declaratory.

2. The name of the said Company is hereby changed to the Portage, Westbourne and North-Western Railway Company ; but the powers, rights and liabilities of the Company shall not be affected in any manner by such change of name, and all contracts made, powers exercised and rights and property acquired by the said Company either under the last mentioned name or under the name of the Westbourne and North-Western Railway Company shall remain valid and binding and become and be the contracts, powers, rights and property of the Portage, Westbourne and North-Western Railway Company. Name of Company changed, powers, &c. not altered.

3. The Portage, Westbourne and North-Western Railway Company (hereinafter called the Company) shall have power and authority to extend their line of railway, from some point on their line under construction north of the main line of the Canadian Pacific Railway, in a north-westerly direction to a point at or near Prince Albert on the north branch of the Saskatchewan River ; and the powers of the Company in respect of the location and construction of any line of railway south of the main line of the Canadian Pacific Railway are hereby withdrawn and cancelled. Railway may be extended, and in what direction.  
Certain powers of Company cancelled.

6. The Company shall have power and authority to construct and operate such line or lines of telegraph, in connection with and along the line of their railway and branches, as may be necessary or useful for the purposes of their undertaking. Telegraph lines.

7. The Company shall have power to build, purchase, acquire, charter or possess, work and operate steam and other vessels on any lakes, rivers or navigable waters, as they may deem proper and expedient in connection with their line of railway. Power to hold vessels, &c.

8. The Company, in aid of the construction, equipment and maintenance of the said railway, may purchase lands from the Dominion Government or from any of the Provincial Governments having power to sell and grant the same, or from any incorporated body or from any private individual, and may hold, dispose of and mortgage the said lands. And to receive aid by purchase of lands.

*Not used*

10. The Directors of the Company under the authority of the shareholders, to them given by a resolution of a special general meeting called for that purpose, are hereby authorized to issue bonds under the seal of the Company, signed by its President or other presiding officer, and countersigned by its Secretary and Treasurer ; and such bonds shall be made payable at such times and in such manner, and at such place or places in Canada or elsewhere, and bearing such rate of interest as the Directors shall think proper ; and the Directors shall have power to issue and sell or pledge all or any of the said bonds, at the best price and upon the best terms and conditions which, at the time, they may be able to obtain, for the purpose of raising money for the prosecuting of the said undertaking : the said bonds hereby authorized to be issued shall, without registration or formal conveyance, be the first preferential claim and charge upon the Company, and the undertaking, tolls and income and real and personal property thereof, now or at any time hereafter acquired, save and except as Bonds may be issued by the Company.  
Forms and terms.  
Bonds to be a first charge on the undertaking.

is hereinafter provided for; and each holder of the said bonds shall be deemed to be a mortgagee or incumbrancer upon the said securities *pro rata* with the other bondholders, and shall have priority as such: Provided, that the amount of bonds so issued, sold or pledged shall not exceed twenty thousand dollars per mile to be issued in proportion to the length of railway constructed, or under contract to be constructed: Provided also, that no such bonds shall be issued until at least three hundred thousand dollars shall have been subscribed to the capital stock and ten per centum of the same *bona fide* paid thereon: but notwithstanding anything in this Act contained the Company may secure the bonds to be issued by them by a mortgage deed creating such mortgages, charges and incumbrances upon the whole or any part of such property, assets, rents and revenues of the Company, present or future, or both, as shall be described in the said deed; but such rents and revenues shall be subject in the first instance to the payment of the working expenses of the railway; and by the said deed the Company may grant to the holders of such bonds, or to the trustee or trustees named in such deed, all and every the powers and remedies granted by this Act in respect of the said bonds, and all other powers and remedies not inconsistent with this Act, or may restrict the bondholders in the exercise of any power, privilege or remedy granted by this Act, as the case may be; and all such powers, rights and remedies as shall be so contained in such mortgage deed shall be valid, binding and available to the bondholders in manner and form as therein provided.

Proviso : amount limited.

Proviso : as to time of issue.

May be secured by mortgage deed.

What such deed may contain.

Preference stock may be issued.

May be exchanged for lands.

Or for ordinary stock.

Proviso as to amount.

Voting power of holders of bonds and preference stock in default of payment.

Proviso : as to registration thereof.

11. The Directors of the Company, under the authority and with the powers and on the terms hereinbefore set forth, may issue preference stock or shares of the Company, to be redeemed or made liable to be called in at such time and in such manner as the Directors may, by the by-law for issuing the same, fix and determine,—upon which preference stock a dividend may be made payable at such rate, not exceeding eight per centum per annum, as to the Directors may seem fit; and such dividend may be made payable in scrip, which shall have the same security and shall be redeemable in like manner as the said preference stock: and such preference stock and scrip for dividend thereon shall be taken and accepted by the Company and may be exchanged at its par value for any unsold and unincumbered lands belonging to the Company, not required for the purpose of its undertaking or station accommodation, at the price at which such lands are offered for sale by the Company for cash,—which price shall be fixed by the Directors once in every year; and such preference stock may be exchanged by the holders thereof for ordinary stock on such terms and conditions as the Directors may, from time to time by by-law, fix and appoint: Provided always, that the total amount of bonds and of preference stock to be issued by the Company shall not exceed thirty thousand dollars per mile for every mile of the said railway constructed or under contract for its construction.

12. If the Company shall make default in paying the principal of or interest on any of the bonds, preference stock or scrip for dividends hereby authorized, at the time when the same shall, by the terms of the bonds or by the conditions upon which the preference stock or scrip for dividends was issued, become due and payable, then at the next ensuing annual general meeting of the Company, and at all subsequent meetings, all holders of bonds, preference stock or scrip for dividends so being and remaining in default shall, in respect thereof, have and possess the same rights, privileges and qualifications for Directors and for voting at general meetings as would be attached to them as shareholders if they had held fully paid-up shares of the Company to a corresponding amount: Provided nevertheless, that the rights given by this section shall not be exercised by any bondholder, preference stockholder or holder of scrip for dividends unless the bonds, preference stock or scrip for dividends in respect of which he shall claim to exercise such rights shall have been first registered in his name, in the same manner as is provided by law for the registration of the shares of

the Company; and for that purpose the Company shall be bound on demand to register any of the said bonds, preference stock or scrip for dividends, in the name of the holder thereof, and to register any transfers thereof in the same manner as a transfer of shares: Provided also, that the exercise of the rights given by this section shall not take away, limit or restrain any other of the rights or remedies to which the holders of the said bonds, preference stock or scrip for dividends shall be entitled.

Proviso :  
certain rights  
not affected.

13. All bonds, debentures and other securities hereby authorized, and the coupons and interest warrants thereon respectively may be made payable to bearer, and shall, in that case, be transferable by delivery, unless and until registration thereof in manner provided in the next preceding section; and while so registered they shall be transferable by written transfer registered in the same manner as in the case of shares; but they shall again become transferable by delivery upon the registration of a transfer to bearer, which the Company shall be bound to register on the demand of the registered holder for the time being.

Transfer of  
bonds and  
preference  
stock.

14. The lands acquired by the Company, and held for sale for the purposes thereof, may be conveyed to trustees to be held and conveyed by them upon the trusts and for the purposes herein declared in reference to such lands; and all moneys arising from the sale of such lands shall be held and applied in trust for the purposes following, that is to say: first, in payment of the expenses connected with the acquisition, survey, management and sale of the said lands; secondly, in payment of the interest on the bonds from time to time payable in cash by the Company; thirdly, in payment and redemption of the said bonds; fourthly, in payment and redemption of the preference stock and the dividends thereon; and, fifthly, for the general purposes of the Company.

Lands may  
be vested in  
trustees.

Application  
of proceeds of  
sales by  
trustees.

17. Not less than fifty miles of the railway hereby authorized to be constructed, shall be completed each year to the satisfaction of the Governor in Council, failing which the power granted to the Company to extend their line of railway, for any further distance than the length of line then completed, shall be forfeited.

Fifty miles to  
be completed  
in each year.

18. From and after the coming into force of this Act, "*The Consolidated Railway Act, 1879*," and all amendments thereto, shall apply to the whole line of the railway of the Company, and to the Company as incorporated for the construction thereof, as fully and effectually to all intents and purposes as the same apply to any railway constructed or to be constructed under the authority of any Act passed by the Parliament of Canada, and to any Company incorporated by any such Act for the construction of such railway; and no portion of the Railway Act of Manitoba shall apply to the said railway or any part thereof or to the Company.

Railway Act  
to apply to  
the whole  
line.

## 46 VICTORIA 1883 (CANADA) CAP. 68.

An Act to amend the several Acts incorporating the "Portage, Westbourne and North-Western Railway Company," and to change the name thereof to the "Manitoba and North-Western Railway Company of Canada."

[Assented to 25th May, 1883.]

Preamble.

**W**HEREAS by an Act of the Legislature of Manitoba, passed in the forty-third year of Her Majesty's reign, and chaptered thirty-five, the Company thereby incorporated were authorized and empowered to build and operate a railway and telegraph line running to the northern or western boundary of the said Province, with the powers and privileges in the said Act contained, as amended by an Act of the Legislature of the Province of Manitoba, passed in the forty-fourth year of Her Majesty's reign and chaptered forty-one; and whereas by an Act of the Parliament of the Dominion of Canada, passed in the forty-fifth year of Her Majesty's reign and chaptered eighty, the said Company were authorized and empowered to extend their line of railway into the North-West Territories, with the necessary powers for such purpose and the name of the Company was changed; and whereas the said Company have, by their petition, prayed for certain amendments to their said charter, and it is expedient that the prayer of the said petition be granted: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Name of company changed

Rights and liabilities not affected.

1. The name of the said Company is hereby changed to the "Manitoba and North-Western Railway Company of Canada," but the powers, rights and liabilities of the Company shall not be affected in any manner by such change of name, and all contracts made, powers exercised and rights and property acquired by the said Company under either of its prior corporate names, shall remain valid and binding and become and be the contracts, powers, rights and property of the "Manitoba and North-Western Railway Company of Canada."

Aid may be received by company.

4. The said Company shall have power and authority to receive, hold and take all voluntary grants and donations of land or other property made to it, or bonuses by way of debentures or otherwise, granted or given by municipalities, to aid in the construction, maintenance and accommodation of the railway.

Bonds may be issued.

To be a first charge on the undertaking.

5. The Directors of the Company, under the authority of the shareholders to them given by resolution at a special meeting, called for that purpose, are hereby authorized to issue bonds under the seal of the Company, signed by its President or other presiding officer and countersigned by the Secretary; and such bonds shall be made payable at such times and in such manner and at such place or places in Canada or elsewhere, and bearing such rate of interest as the Directors shall think proper; and the Directors shall have power to issue and sell or pledge all or any of the said bonds, at the best price and upon the best terms and conditions which at the time they may be able to obtain, for the purpose of raising money for the prosecution of the said undertaking; and the said bonds hereby authorized to be issued shall, without registration or formal conveyance, constitute a first mortgage and privilege upon the said undertaking and upon the said railway constructed and to be thereafter constructed, and upon the property of the Company acquired or which may be thereafter



acquired,—excepting therefrom municipal bonuses,—and upon its tolls and revenues derived from operating the said railway, after deduction from such tolls and revenues of working expenses, and upon the franchises of the Company, save and except as is hereinafter provided for; and each holder of the said bonds shall be deemed to be a mortgagee upon the said securities *pro rata* with the other bondholders, and shall have priority as such: Provided, that the amount of bonds so issued, sold or pledged shall not exceed twenty thousand dollars per mile, to be issued in proportion to the length of railway constructed, or under contract to be constructed: but notwithstanding anything in this Act contained, the Company may secure the bonds to be issued by them by mortgage deed, creating such mortgages, liens and incumbrances upon the whole or any part of such property, assets and revenues of the Company present or future, or both, as shall be described in the said deed; but such revenues shall be pledged in the first instance to the payment of the working expenses of the railway; and by the said deed the Company may grant to the holders of such bonds, or to the trustee or trustees named in such deed, all and every the powers and remedies granted in this Act in respect of the said bonds, and all other powers and remedies not inconsistent with this Act, or may restrict the bondholders in the exercise of any power, privilege or remedy granted by this Act, as the case may be; and all such powers, rights and remedies as shall be so contained in such mortgage deed, shall be valid, binding and available to the bondholders in manner and form as therein provided.

Proviso:  
amount  
limited.

Bonds may be  
secured by  
mortgage  
deed.

What the  
deed may  
contain.

#### 47 VICTORIA 1884 (CANADA) CAP. 69.

An Act to amend the Acts relating to the Manitoba and North-Western Railway Company of Canada.

[Assented to 19th April 1884.]

WHEREAS the Manitoba and North-Western Railway Company of Canada have, by their petition, prayed that certain amendments may be made in the Acts relating to the said Company, and it is expedient to grant the prayer of the said petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1. Section eleven of the Act passed in the forty-fifth year of the reign of Her Majesty, chapter eighty, and so much of section twelve of the said Act as relates to preference stock or scrip for dividends, are hereby repealed.

S. 11 and part  
of s. 12 of 45  
V., c 80  
repealed.

4. Notwithstanding anything contained in any of the Acts relating to the said Company, any lands acquired by the Company from the Government of Canada under the provisions of any order in Council heretofore passed or hereafter to be passed, which may not be required for the right of way or actual working of the railway of the said Company may be sold, mortgaged or disposed of as the directors of the said Company, under the authority of the shareholders, may think necessary and advantageous for the purposes of the Company, and which will, in their opinion, most advantageously assist in the construction of the line of railway authorized to be built by the said Company; and the said lands shall not be subject to any lien or charge for the bonds issued by the said Company, unless so made by a mortgage executed thereon by the Company; and so much of any act relating to the said Company as may be inconsistent herewith, is hereby repealed.

Lands not  
required by  
company may  
be sold, &c.,  
and not liable  
for bonds un-  
less by mort-  
gage.

Inconsistent  
enactments  
repealed.

Time for construction extended.

Proviso :  
45 V., c. 80,  
s. 17 as here-  
by amended,  
not affected.

5. The period for the construction of the line of railway authorized to be built by the said Company is hereby extended until the thirty-first day of December, one thousand eight hundred and eighty-nine; but nothing herein contained shall affect the provision contained in the seventeenth section of the Act passed in the forty-fifth year of the reign of Her Majesty, chapter eighty, which provides that fifty miles of the said railway shall be completed during each year; and the said section is hereby amended by substituting the words: "during each calendar year," for the words: "each year."

Bonds need not be registered.

Mortgage deed to be deposited. Certified copies.

9. It shall not be necessary, in order to preserve the priority, lien, charge, mortgage or privilege, purporting to appertain to or be created by any bond issued or mortgage deed executed under the provisions of the Act cited in the first section of this Act, that such bond or deed should be enregistered in any manner, or in any place whatever: but every such mortgage deed shall be deposited in the office of the Secretary of State of Canada,—of which deposit notice shall be given in the *Canada Gazette*; a copy of any such mortgage deed, certified to be a true copy by the Secretary of State or his deputy, shall be received as *prima facie* evidence of the original in all courts of justice, without proof of the signatures or seal upon such original.

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48-49 VICTORIA 1884-85 (CANADA) CAP. 60.

An Act to authorize the grant of certain subsidies in land for the construction of the Railways therein mentioned.

[Assented to 20th July, 1885.]

Preamble.

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

To the Manitoba and N. W. Railway Co.

3. The Governor in Council may grant to *The Manitoba and North-Western Railway Company*, Dominion lands to the extent of six thousand four hundred acres for each mile of the Company's railway, for the whole distance from Portage la Prairie to the crossing of the south branch of the River Saskatchewan, twenty miles from Prince Albert about four hundred and thirty miles.

Grants to be subject to conditions to be fixed by Order in Council, and cost of survey.

5. The said grants, and each of them, may be so made in aid of the construction of the said railways respectively, in the proportions and upon the conditions fixed by the Orders in Council made in respect thereof,—each of the said enterprises being respectively subject to any modification thereof which may hereafter be made by the Governor in Council; and, except as to such conditions, the said grants shall be free grants, subject only to the payment by the grantees respectively of the cost of survey of the lands and incidental expenses, at the rate of ten cents per acre in cash on the issue of the patents therefor.

## 48-49 VICTORIA 1884-5 (CANADA) CAP. 86.

An Act respecting the Manitoba and North-Western Railway Company of Canada.

[Assented to 20th July, 1885.]

**W**HEREAS by an Act of the Parliament of the Dominion of Canada, passed in Preamble. the forty-sixth year of Her Majesty's reign, and chaptered sixty-eight, the directors of the Manitoba and North-Western Railway Company of Canada were authorized and empowered, under the authority of the shareholders to them given by resolution at a special meeting called for that purpose, to issue bonds under the seal of the Company, signed by its president or other presiding officer, and countersigned by the secretary, not to exceed in amount twenty thousand dollars per mile,—such bonds to be issued in proportion to the length of railway constructed or under contract to be constructed; and whereas, in accordance with the provisions of the said Act, the directors of the Company, under the authority of the shareholders to them given by resolution at a special meeting called for that purpose, did issue bonds under the seal of the Company, signed and countersigned, as provided by the said Act, to the amount of fourteen thousand six hundred dollars per mile,—such bonds being the first mortgage bonds of the Company; and whereas it has been found that the said sum is not sufficient to enable the Company to construct their road, and they have found it necessary to issue second mortgage bonds to the amount of five thousand four hundred dollars per mile, for the purpose of raising money for the prosecution of the construction of the said railway; and whereas doubts have arisen as to the legality of such second mortgage bonds, and the said Company have, by their petition, prayed that such bonds should be legalized, and it is expedient that the prayer of the said petition be granted: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, declares and enacts as follows:—

1. The bonds of the said the Manitoba and North-Western Railway Company of Canada, mentioned in the preamble to this Act, and issued to the amount of fourteen thousand six hundred dollars per mile, under the authority of a deed of the Company, dated on the first day of December, one thousand eight hundred and eighty-three, and modified by a deed of the Company dated on the fifteenth day of May, one thousand eight hundred and eighty-four, are the first mortgage bonds of the Company. First mortgage bonds defined.

2. All the second mortgage bonds mentioned in the preamble to this Act issued or to be issued by the Company are hereby legalized and confirmed, and each and every of the said bonds, and the coupons attached to each of such bonds, shall be legal and binding upon the said Company, according to the terms and effect of the said bonds: Second mortgage bonds legalized. Provided, that the total amount of bonds issued by the Company shall, Proviso; amount limited. in no case, exceed twenty thousand dollars per mile, to be issued in proportion to the length of railway constructed or under contract to be constructed.

## 49 VICTORIA 1886 (CANADA) CAP. 11.

An Act to authorize the grant of certain subsidies in land for the construction of the railways therein mentioned.

[Assented to 2nd June, 1886.]

**H**ER Majesty, by and with the advice and consent of the Senate and House of Preamble. Commons of Canada, enacts as follows:—

Grant to Manitoba and N. W. Railway Company.

1. The Governor in Council may grant to the Manitoba and North-Western Railway Company, Dominion lands to the extent of six thousand four hundred acres per mile for each mile of the company's branch railway running from a point on the main line of that railway, at or near Todburn, in a north-westerly direction through the county of Russell to the Assiniboine River, near the town of Shellmouth, about twenty-six miles.

Grants to be subject to certain conditions.

4. The said grants, and each of them may be so made in aid of the construction of the said railways respectively, in the proportions and upon the conditions fixed by the Orders in Council made in respect thereof,—each of the said enterprises being respectively subject to any modification thereof which may hereafter be made by the Governor in Council; and, except as to such conditions, the said grants shall be free grants, subject only to the payment by the grantees respectively of the cost of survey of the lands and incidental expenses at the rate of ten cents per acre in cash on the issue of the patents therefor.

Cost of surveys &c.

49 VICTORIA 1886 (CANADA) CAP. 75.

An Act respecting the Manitoba and North-Western Railway Company of Canada.

[Assented to 2nd June, 1886.]

Preamble.

WHEREAS at a special meeting of the shareholders of the Manitoba and North Western Railway Company of Canada, held in the city of Montreal on the nineteenth day of March, one thousand eight hundred and eighty six, the shareholders present or represented by proxy authorized the board of directors to make application to Parliament for authority for the cancellation of the second mortgage bonds issued by the Company and for power to issue in lieu thereof preferred stock, with a dividend payable thereon at a rate not exceeding five per cent., non-cumulative, out of the income after the interest on the first mortgage bonds is paid; and whereas none of the said second bonds are outstanding; and whereas the said directors have, by their petition, prayed for the passing of an Act for that purpose and for certain amendments to section five of the Act forty-fifth Victoria, chapter eighty; and it is expedient to grant the prayer of the said petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

When the second mortgage bonds now issued are cancelled.

Preference stock may be issued.

Proviso:

1. Upon the cancellation of or the surrender of the right to all the second mortgage bonds issued under section two of the Act passed in the session held in the forty-eighth and forty-ninth years of Her Majesty's reign, chapter eighty-six, the directors may issue, in lieu of the bonds issued or authorized to be issued under the said Act, preference stock not exceeding five thousand four hundred dollars per mile of railway, entitling the holders thereof, in priority to all other shareholders, to a non-cumulative dividend, payable thereon at a rate not exceeding five per cent. per annum as to the directors may seem meet, out of the net earnings of the Company, after the interest on the first mortgage bonds is paid; but the holders of such prefer-

ence stock shall not be entitled to the rights, privileges and qualifications for being elected directors and for voting at general meetings attached to ordinary shareholders: Provided, that the total amount of first mortgage bonds, debenture stock and preference shares issued by the Company shall in no case exceed twenty-thousand dollars per mile, to be issued in proportion to the length of the railway constructed or under contract to be constructed; and provided also, that first mortgage bonds or debenture stock in lieu thereof for such an amount as shall, together with such preference stock make up or amount to twenty thousand dollars per mile as aforesaid, may from time to time, be made and issued by the Company in priority to such preference stock, and shall be a prior lien and charge on the property of the Company under the provisions of the statutes affecting the Company; and the Company is hereby authorized, when and as any existing mortgage or any of the bonds secured thereby may be paid off or redeemed, to issue debenture stock in lieu thereof, to such an amount as may have been so paid off or redeemed from time to time, which debenture stock shall rank in priority before such preference stock, and next after the bonds secured by such mortgage and remaining outstanding and unpaid.

Proviso : amount of first mortgage bonds limited.

First mortgage bonds or debenture stock may be issued in priority to preference stock.

Debenture stock in lieu of bonds paid off.

4. And whereas the Company has, in pursuance of its powers in that behalf heretofore made and issued certain first mortgage bonds secured, by a mortgage bearing date the first day of December, one thousand eight hundred and eighty-three, on the whole of its line of railway, which mortgage was duly deposited in the office of the Secretary of State,—so soon as all such bonds so issued have been surrendered and cancelled the bonds secured by a mortgage on the first division of the railway, being one hundred and eighty miles thereof, commencing at Portage la Prairie, which mortgage, bearing date the sixteenth day of April, one thousand eight hundred and eighty-six, has been duly executed and is deposited in the office of the Secretary of State,—shall be hereby ratified and confirmed, and such bonds to the amount of three thousand pounds sterling per mile of railway, shall thereupon be the first lien and charge on such first division of the railway comprising one hundred and eighty miles as aforesaid, as provided by the said mortgage deed.

Recital of mortgage deed made by Company.

Mortgage an security therefor confirmed.

6. The Company shall have full power and authority to lay out, construct and complete a branch railway of a gauge of four feet eight and one-half inches in width from a point on their main line at or near Birtle, in the Province of Manitoba, to the northern or western boundary of the said Province, at or near Shell Mouth, and all the powers of the Company to issue bonds and to secure the same by mortgage, and for all other purposes, shall apply to such branch or any other branch authorized to be built by the Company as if it were a part of the main line.

Branch railway may be constructed.

Powers in relation thereto

50-51 VICTORIA 1887 (CANADA) CAP. 79.

An Act respecting the Manitoba and North-Western Railway Company of Canada.

[Assented to 23rd June, 1887.]

WHEREAS the Manitoba and North-Western Railway Company of Canada Preamble. have, by their petition, prayed that they may be authorized to build their

49. V., c. 75 branch railway from Binscarth, in the Province of Manitoba, instead of from Birtle, as provided by the Act forty-ninth Victoria, chapter seventy-five, section six, to the northern or western boundary of the said Province, and that the bonds issued by the Company on the said branch railway may be legalized and confirmed, and it is expedient to grant the prayer of the said petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Section 6 repealed; new section. 1. Section six of the Act passed in the forty-ninth year of the reign of Her Majesty, chapter seventy-five, is hereby repealed, and the following section is substituted in lieu thereof:—

Branch line may be constructed. “6. The Company may construct and operate a branch railway from Binscarth Station, on the main line of railway, to the northern or western boundary of the Province of Manitoba at a point north of the main line of the railway of the Company; and all the powers of the Company to issue bonds and to secure the same by mortgage, and for all other purposes, shall apply to such branch, or any other branch authorized to be built by the Company, as if it were a part of the main line.”

Issue of bonds ratified. 2. And whereas the Company has made and issued certain first mortgage bonds, secured by a mortgage bearing date the seventeenth day of February, one thousand eight hundred and eighty-seven, on the branch railway of the Company commencing at Binscarth, in the Province of Manitoba, and running to the northern or western boundary of Manitoba, at a point north of the said main line, such bonds are hereby ratified and confirmed, and each of such bonds, to the amount of three thousand pounds sterling per mile of railway, shall, be legal and binding upon the Company, according to the terms and effect of the said bonds.

## 51 VICTORIA 1888 (CANADA) CAP. 86.

An Act to amend the Acts relating to the Manitoba and North-Western Railway Company of Canada.

[Assented to 4th May, 1888.]

Preamble. **W**HEREAS the Manitoba and North-Western Railway Company of Canada have, by their petition, prayed that certain amendments may be made to the Acts relating to the said Company, and it is expedient to grant the prayer of the said petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Section 17 of 45 V., c. 80 and s. 5, of 47 V., c. 69 repealed. 1. Section seventeen of the Act passed in the session held in the forty-fifth year of the reign of Her Majesty, chapter eighty, and section five of the Act passed in the session held in the forty-seventh year of the reign of her Majesty, chapter sixty-nine, are hereby repealed.

Time for construction limited. 2. The Company shall complete not less than twenty miles of their railway, as defined by their Act of incorporation and amending Acts, during this and each calendar year hereafter, to the satisfaction of the Governor in Council; failing which the power granted to the Company to extend their line of railway any further distance than the length of railway then completed shall be forfeited.

## 53 VICTORIA 1890 (CANADA) CAP. 78.

An Act respecting the Manitoba and North Western Railway Company of Canada.

[Assented to 26th March, 1890.]

**W**HEREAS the Manitoba and North-Western Railway Company has, by its petition, prayed that certain amendments, as hereinafter set forth, be made to the Acts relating to the Company, and it is expedient to grant the prayer of the said petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Section two of the Act passed in the fifty-first year of Her Majesty's reign, 51 V., c. 86, chapter eighty-six, is hereby repealed, and the following substituted therefor:—

s. 2 repealed;  
new section.

"2. The Company shall complete during the calendar year one thousand eight hundred and ninety, the seventeen miles of railway to the west of Saltcoats, in the Territory of Assiniboia, partially constructed by it during the year one thousand eight hundred and eighty-nine; and, in addition, the Company shall complete not less than twenty miles of its railway, as described by the Acts relating to the Company, on or before the thirty-first day of December in the year one thousand eight hundred and ninety-two, and also during each calendar year thereafter, to the satisfaction of the Governor in Council; otherwise the power granted to the Company to extend its line of railway for any further distance than the length of railway then completed shall be forfeited."

Time for construction.

## 55 VICTORIA 1892 (CANADA) CAP. 45.

An Act respecting the Manitoba and North-Western Railway Company of Canada.

[Assented to 9th July, 1892.]

**W**HEREAS the Manitoba and North-Western Railway Company of Canada has, by its petition, prayed for an amendment, as hereinafter set forth, to the Acts relating to the Company, and it is expedient to grant the prayer of the said petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Notwithstanding anything contained in any of the Acts relating to the Manitoba and North-Western Railway Company of Canada, the Company shall not, by reason of its failure to construct during the present year twenty miles of its railway, be prevented after the present year from extending its line of railway to Prince Albert, or for any further distance than the length of railway then completed, or from having and enjoying all the rights, powers, privileges and franchises which it now has and enjoys, if in other respects it complies with the provisions of the said Acts.

Time for construction.

## 56 VICTORIA, 1893 (CANADA), CAP. 52.

An Act to consolidate and amend certain Acts relating to the Manitoba and North-western Railway Company of Canada.

[Assented to 1st April, 1893.]

Preamble.

WHEREAS the Manitoba and North-western Railway Company of Canada have by their petition set forth that, as more fully appears by the Acts mentioned in schedule one to this Act, they were incorporated in the year 1880, by the Legislature of the province of Manitoba, under the name of "The Westbourne and North-western Railway Company"; that, in the year 1881, the said Act was amended by the said Legislature and the Company's name was changed to "The Portage, Westbourne and North-western Railway Company"; that, in the year 1882, by an Act of the Parliament of Canada, the Company's railway was declared to be a work for the general advantage of Canada and an extension thereof into the North-west Territories was authorized; that, by such declaration and extension the Company and their undertaking became subject to the exclusive legislative authority of the Parliament of Canada; that by the said Act of 1882, the aforesaid change of name was again enacted and *The Consolidated Railway Act*, 1879 and all amendments thereto, were applied to the Company and their undertaking instead of *The Railway Act of Manitoba*; that, in the year 1883, by an Act of the Parliament of Canada, the Company's name was further changed to "The Manitoba and North-western Railway Company of Canada"; that numerous other amendments of the Company's Act of incorporation have been made by the said and by other Acts of the Parliament of Canada, so that provisions as to the powers, rights and obligations of the Company are contained in a number of Acts; that it is expedient to consolidate and amend these Acts so as to embody the said provisions in one Act; and whereas the Company have prayed for such consolidation and also for an extension of the time within which a certain portion of their railway is by law to be built; and whereas it is expedient to grant the prayer of their petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Short title.

1. This Act may be cited as *The Manitoba and North-western Railway Company's Act*, 1893.

Repeal.

2. The Acts mentioned in schedule one to this Act, but as respects the Acts of the province of Manitoba therein mentioned only so far as any provisions of such Acts are within the legislative authority of the Parliament of Canada, are hereby repealed to the extent in the said schedule mentioned; and in lieu of the said Acts and provisions, this Act, and, in matters not provided for by this Act, *The Railway Act* and its amendments, shall apply to the Manitoba and North-western Railway Company of Canada, hereinafter called "the Company," and to the undertaking of the Company.

Application of this Act.

Effect of repeal  
Continuance of the corporation.

3. The said repeal shall not in any way affect—  
(a.) The corporate existence of the Company, which, together with all such persons as hereafter become shareholders in the Company, shall continue to be the same body corporate; or  
(b.) Any obligation, debt or liability of the Company now existing; or  
(c.) Any right now existing, accruing, accrued or established; or  
(d.) Any suit, action or proceeding at law or in equity now pending.

Saving clauses.



4. The head office of the Company shall be at the town of Portage la Prairie, <sup>Head office.</sup> and may be changed to such other place in Canada as is fixed by by-law passed at any annual general meeting or at any special meeting of shareholders duly called for that purpose; and the Company may from time to time by by-law appoint and fix <sup>Other offices.</sup> other places within or beyond the limits of Canada, at which the business of the Company may be transacted and at which the directors or shareholders may meet when called, as determined by the by-laws.

5. General meetings of the Company, whether annual or special, may be held at <sup>General meet-</sup> the city of Winnipeg, or elsewhere as may be appointed by by-law. <sup>ings.</sup>

2. The annual general meeting of the Company shall be held on such day, once <sup>Annual meet-</sup> in every year, as the directors from time to time by by-law determine, and notice of <sup>ing.</sup> the day so determined shall be given in the manner provided by *The Railway Act* with respect to meetings of shareholders.

3. If the majority of the shareholders present in person or by proxy at any <sup>Adjourn-</sup> annual or special general meeting so determine by vote, such meeting may be <sup>ments.</sup> adjourned to be held in either the city of Montreal, the city of Toronto or the city of Ottawa, whichever, and at such time as, the said majority determine.

6. The capital stock of the Company shall be twelve millions of dollars divided <sup>Capital stock.</sup> into two hundred and forty thousand shares of fifty dollars each.

2. The directors may make and issue as paid-up stock, shares in the Company, <sup>Paid-up stock</sup> whether subscribed for or not, and may allot and hand over such stock in payment <sup>may be issued.</sup> for right of way, rolling stock or materials of any kind, and also for the services of contractors and engineers; and such issue and allotment of stock shall be binding on the Company, and such stock shall not be assessable for calls; and all paid-up stock <sup>Previous</sup> heretofore made and issued in accordance with the provisions of section three of <sup>issues con-</sup> chapter eighty-six of the Statutes of 1888, is legalized and confirmed. <sup>firm.</sup>

3. The capital stock of the Company may, with the approval of the Governor in <sup>Increase of</sup> Council, be increased from time to time to any amount, but such increase must be <sup>capital.</sup> sanctioned by a vote in person or by proxy of at least two-thirds in amount of all the shareholders, at a meeting expressly called by the directors for that purpose by a notice in writing to each shareholder served on him personally, or properly directed to him and deposited in the post office, at least twenty days previous to such meeting, stating the time and place and object of the meeting and the amount of increase, and the proceedings of such meeting must be entered on the minutes of the proceedings, and thereupon the capital stock may be increased to the amount sanctioned by such a vote.

4. No call upon shareholders in respect of capital stock shall exceed ten per <sup>Calls.</sup> cent. on the amount subscribed.

7. The present board of directors of the Company shall continue to be the <sup>Directors.</sup> directors of the Company until replaced by others elected under the provisions of *The Railway Act* and of this Act.

2. The number of directors of the Company shall be, from time to time, deter- <sup>Number and</sup> mined by by-law, but shall not exceed eleven nor be less than seven, of whom a <sup>quorum.</sup> majority shall form a quorum.

3. No person shall be a director unless he is a shareholder, owning twenty <sup>Qualification.</sup> shares of stock absolutely in his own right, and has paid all calls due thereon, and is qualified to vote for directors at the election at which he is chosen.

4. The directors may annually appoint from among themselves, an executive <sup>Executive</sup> committee at Winnipeg, or elsewhere, for such purposes and with such powers and <sup>committee</sup> duties as the directors by by-law determine; and the president shall be *ex-officio* a member of such executive committee.

- Paid director.** 5. The directors may employ one or more of their number as a paid director.
- Meetings of directors.** 6. Meetings of the directors may be held, either in Canada or in Great Britain, at such place or places in either country or in both, as the Company by by-law determine; but in the event of a meeting of directors being called to be held in Great Britain, one month's previous notice of such meeting shall be given to each of the directors by registered letter posted in the city where the head office of the Company is situated.
- Notice.**
- Directors' power to act by proxy.** 7. If not otherwise provided by by-law of the Company, the directors may act and vote by proxy, such proxy to be held by a director only; but no director shall hold more than two such proxies, and no meeting of directors shall be competent to transact business unless at least three directors are present thereat in person, the remaining number of directors required to form a quorum being represented by proxies.
- Operation of lines now built.** 8. The Company may maintain and operate :—
- Main line.** (a.) The portion of its main line now constructed, running north-westerly from the town of Portage la Prairie in the province of Manitoba to Yorkton Station in the district of Assiniboia in the North-west Territories, about two hundred and twenty-three miles in all.
- Shell River branch.** (b.) The portion of the branch line now constructed, from the main line at Binscarth Station north to Russell Station, about eleven and one-third miles, herein-after called "the Shell River Branch." 50-51 V., c. 79, s. 1 *part*.
- Saskatchewan and Western Railway.** (c.) The line of the Saskatchewan and Western Railway Company connecting with the main line of the Company at the town of Minnedosa in Manitoba, leased by the Company under a certain deed of agreement with the above mentioned company, dated the twenty-eighth of May, A.D. 1887.
- Gauge.** 2. The gauge of the said portions now constructed shall be maintained at four feet eight and one-half inches.
- Powers to build and operate.** 9. The Company may lay out, construct and operate the following lines of railway of the gauge of four feet eight and one-half inches :—
- Main line.** (a.) An extension of the main line from the present terminus thereof at Yorkton, in a north-westerly direction to a point at or near Prince Albert, on the north branch of the Saskatchewan River.
- Shell River branch.** (b.) An extension of the Shell River Branch from the present terminus thereof at Russell to the northern or western boundary of the province of Manitoba, at a point north of the main line.
- Branch to northern or western boundary of Manitoba.** (c.) A branch line from some point on the main line between Portage la Prairie and Arden, thence running northerly, eastward of the Riding Mountains to the northern or western boundary of Manitoba.
- Branch to Lake Dauphin, etc. Proviso.** (d.) A branch line from the main line at some point between Westbourne and Beautiful plains, north-westerly in the direction of Lake Dauphin or Duck Mountains.
2. Nothing in this section shall be held to limit the right of the Company to lay out, construct and operate branch lines under the provisions of *The Railway Act*.
- Limitation of time for construction.** 3. The Company shall construct and complete to the satisfaction of the Governor in Council, not less than twenty miles of railway on or before the thirty-first day of December in each calendar year after the year eighteen hundred and ninety-three, otherwise their powers under this section shall cease as regards so much of the said lines of railway as is not completed by the said date in each calendar year.
- Bridges.** 10. The Company may lay out, construct, maintain, work, manage and use a railway bridge over any navigable stream on the line of the railway.

11. The Company may construct and operate such lines of telegraph and telephone in connection with and along the line of their railway and branches, as are necessary or useful for the purposes of their undertaking. Telegraphs.
12. The Company may build, purchase, acquire, charter, lease, possess, work and operate steam and other vessels on any lakes, rivers or navigable waters, for such purposes in connection with their undertaking, as they deem proper and expedient, and may enter into arrangements and agreements with owners of steam and other vessels for such purposes. Steamers and other vessels.
13. The Company, for the purpose of aiding the construction, equipment or maintenance of their undertaking, may purchase lands from the Government of Canada, or from the government of any province of Canada, or from any corporation, company or person, and may hold, dispose of, sell, pledge or mortgage such lands. Power to acquire and deal in lands.
14. Conveyances of land to the company for the purposes of and exercise of the powers given by this Act, made in the form in schedule three to this Act or to the like effect, shall be sufficient conveyance to the Company, their successors and assigns, of the estate and interest, and sufficient bar of dower (where the same exists), respectively of all persons executing the same, and such conveyance shall be registered in such manner and upon such proof of execution as is required by the registry laws of the province or territory where the land is situate. Conveyances. Form. Registration.
15. All lands sold and conveyed by the Company or trustees for the Company and paid for in cash shall be forever released and discharged from all mortgages, liens and charges of any kind or nature by any Act relating to the Company or by the Company created; and the purchase money arising from the sale of such lands by the Company shall be applied in the first place in the satisfaction of any mortgage, lien or charge thereon created by the Company, and after payment of any such mortgage, lien or charge created by the Company thereon, shall be applied for the general purposes of the Company. Mortgages discharged by sale of lands. Application of price.
16. Notwithstanding anything contained in any Acts relating to the Company, any lands acquired by the Company from the Government of Canada, under the provisions of any Order in Council heretofore passed or hereafter to be passed, which are not required for the right of way or actual working of the railway of the Company, may be sold, mortgaged or disposed of in such manner as the directors, under the authority of the shareholders, think necessary or advantageous for the purposes of the Company and the carrying out of its undertaking; and the said lands shall not be subject to any mortgage, lien or charge for the bonds issued by the Company, unless so made by a deed executed by the Company. Land grants from Government, powers to deal with. Such lands not subject to charge by bonds, etc.
17. The bonds, debentures or other securities, debenture stock and preference stock, which have been issued by the Company before the passing of this Act, and are set out in schedule two to this Act, which schedule is hereby for the avoidance of doubts declared to be part of this Act, are hereinafter respectively called "scheduled bonds," "scheduled debenture stock" and "scheduled preference stock," or, collectively, "scheduled securities." Existing issues of bonds, etc., described. "Scheduled securities,"
18. The "scheduled securities" shall remain, until cancellation or redemption thereof, or until payment or discharge in full of the principal and interest thereby secured, the first preferential claims and charges upon the respective portions of the Company's undertaking or property affected or charged as security for such payment in each case, and according to the tenor and effect of any by-law or of any deed of mortgage, conveyance or assurance in each case; and nothing in this Act shall impair any power, right, remedy, privilege or priority now existing in respect of such "scheduled securities." Existing securities to continue unimpaired.

Powers to issue bonds, etc., debenture stock and preference stock.

Limit of issues.

Issue of debenture stock to replace bonds, etc.

Priority.

Interest on bonds.

Certain lands not charged by bonds, unless expressly so by deed.

Registration of bonds not necessary to preserve priority.

Provisions for enforcing bondholder's rights in case of default.

Proviso.

Proviso.

Transfer of bonds.

19. The Company may issue, from time to time, bonds, debentures or other securities, according to the provisions of *The Railway Act* and of this Act; and may also, as in this Act provided, issue, from time to time, debenture stock and preference stock.

2. The total amount of all such issues, together with the amount of any "scheduled securities" unpaid or unredeemed, shall not exceed at any time the sum of twenty thousand dollars per mile of the Company's railways constructed or under contract to be constructed.

3. The Company may, from time to time, issue debenture stock in lieu of such "scheduled bonds," bonds, debentures, or other securities as are paid off or redeemed, to such amount as has been so paid off or redeemed, which debenture stock shall be issued as hereinafter provided and shall rank in priority next after any "scheduled bonds," bonds, debentures or other securities, of the issue in lieu of which such debenture stock is issued.

20. Bonds, debentures or other securities issued by the Company may bear such rate of interest as the Company thinks fit.

2. Such bonds, debentures or other securities, shall not create any mortgage, privilege, lien, claim or charge upon any property of the Company heretofore or hereafter acquired by way of bonus from any municipality, or upon any lands acquired by the Company for sale in aid of its undertaking and sold and conveyed by the Company or by trustees for the Company, and paid for in cash, or upon any lands acquired by the Company from the Government of Canada, and not required for the right of way or actual working of the Company's railways, unless such mortgage, privilege, lien, claim or charge is constituted by deed executed by the Company.

3. It shall not be necessary, in order to preserve the priority, lien, charge, mortgage, or privilege purporting to appertain to or to be created by any bond issued or security deed executed under the authority of any Act relating to the Company, that such bond or deed should be registered in any manner or in any place whatsoever.

21. If the Company make default in paying the principal of or interest on any of the bonds hereby authorized, at the time when the same, by the terms of the bonds, becomes due and payable, then at the next ensuing annual general meeting of the Company, and at all subsequent meetings, all holders of such bonds so being and remaining in default, shall, in respect thereof, have and possess the same rights, privileges and qualifications for being directors and for voting at general meetings as if they were shareholders holding fully paid-up shares of the Company to a corresponding amount; Provided nevertheless, that the rights given by this section shall not be exercised by any bondholder, unless the bonds in respect of which he claims to exercise such rights have been first registered in his name, in the same manner as is provided by law for the registration of shares of the Company; and for that purpose the Company shall be bound on demand to register any of the said bonds, in the name of the holder thereof, and to register any transfers thereof in the same manner as a transfer of shares; Provided also, that the exercise of the rights given by this section shall not take away, limit or restrain any of the rights or remedies to which the holders of the said bonds are entitled.

22. All bonds, debentures and other securities hereby authorized, and the coupons and interest warrants thereon respectively, may be made payable to bearer, and shall, in that case, be transferable by delivery, unless and until registration thereof in manner provided in the next preceding section; and while so registered they shall be transferable by written transfer, registered in the same manner as in the case of shares; but they shall again become transferable by delivery upon the registration of a transfer to bearer, which the Company shall be bound to register on the demand of the registered holder for the time being.

23. The directors, under the authority of the shareholders to them given at the annual general meeting or at any general meeting specially called for the purpose, at which meeting shareholders representing at least two-thirds in value of the capital stock of the Company are present in person or represented by proxy, may from time to time make and issue debenture stock.

Issue of debenture stock

2. Such debenture stock may be made either perpetual or terminable, and may be executed in such form and under such provisions as to issue, transfer and registration, and with such rights and privileges, as are determined by the by-laws of the Company ; and may be issued in sterling money of Great Britain, and without being under the seal of the Company ; but no share of such debenture stock shall be for a less sum than one hundred dollars, if in currency of Canada, or than twenty pounds sterling, if in sterling money of Great Britain.

Form, etc.

3. Such debenture stock shall, except as otherwise provided by this Act, constitute the first lien and charge upon the undertaking of the Company, and upon any extension thereof, and upon the property, franchises, plant and rolling stock thereof, acquired or to be hereafter acquired by the Company, and upon the tolls and revenues thereof, subject, however, in the first instance to the payment of any penalty imposed for non-compliance with the provisions of *The Railway Act* respecting returns to be made to the Minister, and after deduction of the working expenses of the railway, but always subsequent to and subject to the rights of any bonds upon the whole or any division of the said railway which are then outstanding and unpaid and have been created a first charge on the railway by any deed executed by the Company.

Charges created thereby.

4. The Company may execute a deed or instrument securing such debenture stock and declaring and defining the rights, privileges, ranking and remedies of the holders of such debenture stock, and may thereby fix the rate of interest on such debenture stock and the place and plan of payment of such interest ; and among other things shall incorporate therein all by-laws declaring and regulating the rights and privileges to be enjoyed by the holders of such debenture stock.

Holders' rights may be defined by deed.

By-laws to be in deed.

5. Any such by-laws whether incorporated in any such deed or not, which are in force and applicable to such debenture stock at the time of the issue thereof, or of any part thereof, shall remain in force and shall not be altered or amended so long as any of such debenture stock remains unredeemed.

And to remain unaltered.

6. Every such deed shall be deposited in the office of the Secretary of State of Canada, of which deposit notice shall be given in the *Canada Gazette*.

Deposit of deed.

24. The directors, under the authority of the shareholders to them given at the annual general meeting or at any general meeting specially called for the purpose, at which meeting shareholders representing at least two-thirds in value of the capital stock of the Company are present in person or represented by proxy, may issue preference stock to an amount not exceeding in all, together with the " scheduled preference stock," five thousand four hundred dollars per mile of the Company's railway constructed or under contract to be constructed, entitling the holders thereof, in priority to all other shareholders, to a non-cumulative dividend, payable thereon at such rate not exceeding five per cent per annum as the directors think fit, out of the net earnings of the Company, after the interest on the first mortgage bonds and on the debenture stock is paid.

Issue of preference stock.

Limit.

Dividend.

2. The holders of such preference stock shall not have the rights, privileges and qualifications of holders of capital stock, for voting at meetings of the Company or for being directors.

Rights of holders.

25. The Company may enter into any agreement with any other railway company within the province of Manitoba for purchasing or leasing the railway of the Company, or any part thereof, or the use thereof at any time or times, or for any period, to such other company, or for purchasing or leasing or for hiring from such other company any railway, or part thereof, or the use thereof, or for purchasing or

Agreements with other companies.

leasing or hiring any locomotives, tenders or movable property, and generally to make any agreement or agreements with any such other company, touching the use by one or the other, or by both companies, of the railway, or movable property, of one or both, or any part thereof, or touching any service to be rendered by the one company to the other, and the compensation therefor; and any such agreement shall be valid and binding, and shall be enforced by courts of law according to the terms and tenor thereof.

Amalgamation with other companies.

26. The Company may amalgamate with any other railway company and may accept and receive such company as forming part of the Company; and such amalgamation may be by deed, which however shall not have any force or effect until it has been submitted to the shareholders of both companies at meetings of such shareholders respectively, duly called for the purpose thereof, and approved by them.

Conditions of amalgamation.

27. By such deed of amalgamation it may be agreed that the amalgamating companies shall thereafter form one company under the name of "The Manitoba and North-western Railway Company of Canada" of which change of name notice shall be given by advertisement, published for one month in the *Canada Gazette*; and after such amalgamation, all debts due and owing by the companies parties to such amalgamation shall become due and owing by the amalgamated company in the same manner as if they had been originally contracted by it; and upon being approved of by the Governor in Council, all the assets and property of the companies parties to such amalgamation shall become vested in the amalgamated company, in the same manner and to the same extent as if they had been originally acquired by it, but subject to all liens, privileges and charges thereon; and by such deed the proportion of stock which shall be represented by each company shall be settled, and provision shall be made for giving the voting power to such stockholders of each of the companies as shall be entitled thereto, either by the retention of the stock originally issued to them, or by the conversion thereof, on terms which shall be agreed upon by the said deed, into stock of the amalgamated company; and by such deed also the number of directors to constitute the board of directors of the amalgamated company shall be fixed, and the mode of appointing the first board of such directors shall be established, leaving subsequent boards of directors to be elected at the annual meetings of the amalgamated company, in the manner provided by law for the election of the directors of the Manitoba and North-western Railway Company of Canada.

Approval by Governor in Council

Effect of amalgamation.

Capital stock.

Directors.

SCHEDULE ONE.

Acts of the Parliament of Canada and of the Legislature of Manitoba repealed by this Act.

Year.	Title. <i>Acts of Manitoba.</i>	Extent of Repeal.
43 Vict., c. 35.	An Act to incorporate the Westbourne and North-western Railway Company.....	The whole.
44 Vict., c. 41.	An Act to amend 43 Vic., cap. 35, intituled: "An Act to incorporate the Westbourne and North-western Railway Company," and to legalize the by-laws of the Corporation of the Municipality of the Town of Portage la Prairie granting aid to the said company by the issue of debentures.....	The whole except section nine.
<i>Acts of Canada.</i>		
45 Vict., c. 80.	An Act respecting the Portage, Westbourne and North-Western Railway Company.....	The whole.
46 Vict., c. 68.	An Act to amend the several Acts incorporating the Portage, Westbourne and North-western Railway Company, and to change the name thereof to the "Manitoba and North-western Railway Company of Canada....."	The whole.
47 Vict., c. 69.	An Act to amend the Acts relating to the Manitoba and North-western Railway Company of Canada.....	The whole.
48-49 Vict., c. 86.	An Act respecting the Manitoba and North-western Railway Company of Canada.....	The whole.
49 Vict., c. 75.	An Act respecting the Manitoba and North-western Railway Company of Canada.....	The whole.
50-51 Vict., c. 79.	An Act respecting the Manitoba and North-western Railway Company of Canada.....	The whole.
51 Vict., c. 86.	An Act to amend the Acts relating to the Manitoba and North-western Railway Company of Canada.....	The whole.
53 Vict., c. 78.	An Act respecting the Manitoba and North-western Railway Company of Canada.....	The whole.
55-56 Vict., c. 45.	An Act respecting the Manitoba and North-western Railway Company of Canada.....	The whole.

SCHEDULE TWO.

Bonds, debenture stock and preference stock now existing and charged upon the railway, all prior issues having been cancelled and surrendered.

1. Bonds to the amount of £540,000 sterling, being the first lien and charge upon the first division of the Company's railway being 180 miles thereof, commencing at Portage la Prairie, which bonds are secured by a mortgage on such first division, dated the 16th day of April, 1886.

2. Bonds to the amount of £34,500 sterling, being the first lien and charge upon the branch of the Company's railway, commencing at Binscarth, in the province of Manitoba, and running to the northern or western boundary of Manitoba, at a point north of the main line, which bonds are secured by a mortgage on such branch line, dated the 17th day of February, 1887.

3. Debenture stock issued to the extent of £3,000 sterling per mile, in respect of 42 miles of the Company's railway, west of Langenburg, and constituting a first lien and charge upon the Company's railway and upon any extension thereof, and upon any plant and rolling stock acquired and to be acquired by the Company, and upon the tolls and revenues thereof, after deduction of the working expenses thereof, subsequent to and subject to the right of the said £540,000 sterling first mortgage bonds upon the first division of the railway mentioned in this schedule and which

~~may be outstanding and unpaid, which said first mortgage bonds are a first charge upon the said first division as above set forth, and subsequent to and subject to the right of the said £34,500 sterling first mortgage bonds upon the Shell River branch, and which may be outstanding and unpaid, which said first mortgage bonds are a first charge upon the Shell River branch, as above set forth.~~

4. Preference stock issued to the extent of \$415,000 in lieu of and upon the cancellation of all the second mortgage bonds issued under section two of chapter 86 of the Statutes of 1885.

### SCHEDULE THREE.

#### FORM OF CONVEYANCE.

Know all men by these presents that I (*or we*) (*insert the name or names of the vendor or vendors*) in consideration of                      dollars paid to me (*or us*) by the Manitoba and North-western Railway Company of Canada, the receipt whereof is hereby acknowledged, do grant and convey, and I (*or we*) (*insert the name or names of any party or parties*) in consideration of                      dollars paid to me (*or us*) by the said Company, the receipt whereof is hereby acknowledged, do grant and release all that certain parcel (*or those certain parcels, as the case may be*) of land situated (*describe the land*), the same having been selected and laid out by the said Company for the purposes of the said railway, to hold the same with the appurtenances unto the said the Manitoba and North-western Railway Company of Canada, their successors and assigns (*here insert any other clauses, covenants or conditions required*); and I (*or we*), the wife (*or wives*) of the said                      do hereby bar my (*or our*) dower in the said lands.

As witness my (*or our*) hand and seal (*or hands and seals*), this                      day of                      one thousand eight hundred and                     

Signed, sealed and delivered }  
in the presence of }  
C. D. }

A. B. [L.s.]



## 57-58 VICTORIA 1894 (CANADA) CAP. 79.

An Act respecting the Manitoba and North-western Railway Company  
of Canada.

[Assented to 23rd July, 1894.]

**W**HEREAS the Manitoba and North-western Railway Company of Canada has <sup>Preamble.</sup> by its petition prayed for an amendment as hereinafter set forth to *The Manitoba and North-western Railway Company's Act, 1893*, and it is expedient to grant the prayer of the said petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Subsection three of section nine of *The Manitoba and North-western Railway Company's Act, 1893*, is hereby repealed and the following substituted therefor: <sup>1893, c. 52.</sup>

"3. The work on the extensions authorized by this section shall be completed within nine years from the passing of this Act and the Company shall complete during the year eighteen hundred and ninety-six and also during each calendar year thereafter such a portion of its railway not exceeding twenty miles as is from time to time prescribed by the Governor in Council, otherwise the Company's powers under this section shall cease as regards so much of the said extensions as then remains uncompleted." <sup>Time for completion of railway.</sup>