

# **PARLIAMENT OF CANADA.**

## **Extracts from Rules of the Senate and House of Commons relating to Private Bills.**

### **RULES RELATIVE TO NOTICES FOR PRIVATE BILLS.**

All applications to Parliament for Private Bills, of any nature whatsoever, shall be advertised by a Notice published in the CANADA GAZETTE; such Notice shall clearly and distinctly state the nature and objects of the application, and shall be signed by or on behalf of the applicants, with the address of the party signing the same; and when the application is for an Act of incorporation, the name of the proposed company shall be stated in the Notice. And if the works of any company (incorporated, or to be incorporated) are to be declared to be for the general advantage of Canada, such intention shall be specifically mentioned in the Notice; and the applicants shall cause a copy of such Notice to be sent by registered letter to the Clerk of each municipality which may be specially affected by the construction or operation of such works, and also to the Secretary of the Province in which such works are, or may be, located; and proof of compliance with this requirement by the applicants shall be established by statutory declaration.

In addition to the Notice in the CANADA GAZETTE aforesaid, a similar Notice shall also be published in some leading newspaper, as follows:—

A. When the application is an Act to incorporate:

1. A Railway or Canal Company:—In the principal city, town or village in each county through which the proposed railway or canal is to be constructed.

2. A Telegraph or Telephone Company:—In the principal city or town in each Province or Territory in which the company proposes to operate.

3. A company for the construction of any works which in their construction or operation might specially affect a particular locality; or for obtaining any exclusive rights or privileges; or for doing any matter or thing which in its operation would affect the rights of property of others:—In the particular locality or localities which may be affected by the proposed Act.

4. A Banking Company; An Insurance Company; A Trust Company; A Loan Company, or an Industrial Company without any exclusive powers:—In the CANADA GAZETTE only.

B. When the application is for the purpose of amending an existing Act:

1. For an extension of any line of railway, or of any canal, or for the construction of branches thereto:—In the principal city, town or village in each county or district through which such extension or branch is to be constructed.

2. For an extension of the time for the construction or completion of any line of railway, or of any canal, or of any telegraph or telephone line, or of any other works already authorized:—In the place where the head office of the company is, or is authorized to be.

3. For an extension of the powers of a Company (when not involving the granting of any exclusive rights); or for the increase or reduction of the capital stock of any company; or for increasing or altering its bonding or other borrowing powers, or for any amendment which would in any way affect the rights or interests of the shareholders or bondholders or creditors of the company:—In the place where the head office of company is situated.

All such Notices, whether inserted in the CANADA GAZETTE or in a newspaper, shall be published at least once a week, for a period of five consecutive weeks; and when published in the Provinces of Quebec and Manitoba, shall be in both the English and French languages; and marked copies of each issue of all newspapers containing such Notice shall be sent to the Clerks of the Senate and House of Commons, endorsed "Private Bill Notice"; or a statutory declaration as to due publication may be sent in lieu thereof.

### **RULES RELATING TO PETITIONS AND PRIVATE BILLS.**

Any person seeking to obtain a Private Bill shall, at least eight days before the meeting of Parliament, deposit with the Clerk of the House, in which the Bill is to originate, a copy of such Bill in the English or French language, with a sum sufficient to pay for translating and printing the same. The applicant shall also, after the second reading, and before the consideration of the Bill by any Committee, pay the Clerk of the Senate, or the Accountant of the House of Commons (as the case may be) a fee of \$200, and a sum sufficient to pay the cost of printing the Act in the Statutes. The fee of \$200 is paid only in the House in which a Bill originates; but charges for reprinting and translation are paid in the House in which such charges are incurred.

No petition for a Private Bill is received by the Senate or by the House of Commons after the first three weeks of the Session.

No Private Bill may be presented to the Senate or to the House of Commons after the first four weeks of the Session.

No Petition praying for the incorporation of a railway company, or of a canal company, or for an extension of the line of any existing or authorized railway or canal, shall be considered by the Standing Orders Committees, until there has been filed with the Committee a map or plan, showing the proposed location of the works, and each county or district through which the proposed railway or canal, or any branch or extension thereof, is to be constructed.

SAML. E. ST. O. CHAPLEAU,

Clerk of the Senate.

THOMAS B. FLINT,

Clerk of the Commons.

### **SPECIAL RULE OF THE SENATE.**

When any Bill, confirming a deed, lease, agreement or other instrument, is brought up or presented to the Senate, such deed, lease, agreement or other instrument shall be set forth in the Bill by way of Schedule or otherwise.

SAML. E. ST. O. CHAPLEAU,

Clerk of the Senate.

### **ADDITIONAL RULES OF THE HOUSE OF COMMONS RESPECTING PRIVATE BILLS.**

All Private Bills for Acts of Incorporation shall be so framed as to incorporate by reference the clauses of the General Act relating to the details to be provided for by such Bill:—Bills not framed in accordance with this RULE, shall be recast by the promoters, and reprinted at their expense, before any Committee passes upon the Clauses.

51a. All Private Bills for Acts of Incorporation of, or in amendment of Acts incorporating Railway Companies, shall be drawn in accordance with the Model Bill, copies of which may be obtained from the Clerk of the House.

(a.) The provisions contained in any Bill which are not in accord with the Model Bill, shall be inserted between brackets, and when revised by the proper officer shall be so printed, and Bills which are not in accordance with this Rule shall be returned to the promoters to be recast before being revised and printed;

(b.) Any sections of existing Acts which are proposed to be amended shall be reprinted in full with the amendments inserted in their proper places and between brackets;

(c.) Any exceptional provisions that it may be proposed to insert in any Bill shall be clearly specified in the Notice of Application for the same.

51b. No Bill for the incorporation of a Railway Company, or for changing the route of the railway of any company already incorporated, shall be considered by the Railway Committee until there has been filed with the Committee, at least one week before the consideration of the Bill:—

(a.) A Map or Plan drawn upon a scale of not less than half an inch to the mile, showing the location upon which it is intended to construct the proposed work, and showing also the lines of existing or authorized works of a similar character within, or in any way affecting the district, or any part thereof, which the proposed work is intended to serve, and such map or plan shall be signed by the Engineer or other person making the same;

(b.) An exhibit showing the total amount of capital proposed to be raised for the purposes of the undertaking, and the manner in which it is proposed to raise the same, whether by ordinary shares, bonds, debentures, or other securities, and the amount of each, respectively.

THOMAS B. FLINT,  
Clerk of the Commons.

## **Rules and Practice of the House of Assembly.**

### **PRIVATE BILLS**

78. A typewritten copy or printed copy of every Private Bill or Local Bill introduced into this House shall be filed with the Clerk of the House within ten days after the opening of the Session, and in case of failure to comply with this provision the fee on the introduction of any such Private Bill shall be double the fee provided for in Rule 84 applicable to such Bill, and Local Bills introduced after ten days of the opening of the Session shall pay the same fee as a Private Bill.

79. No Private Bill, or Bill making any amendments of a like nature to a former Act, shall be received by the House, unless a notice specifying clearly and distinctly the nature and objects thereof, has been published four successive weeks previous to the meeting of the Legislature, or to the introduction of the Bill, in some one of the newspapers published in the County interested in or to be affected by the measure, or in the locality where the parties affected, or the majority of them, reside; and when no newspaper is published in such County or locality, then in some newspaper published in the nearest adjoining County in which a newspaper is published, and also in the ROYAL GAZETTE. When the City or County interested in the measures, or the locality in which the parties affected reside, is largely composed of a French population, then such notice shall also be published in a French newspaper if any be published in the Province.

80. In any County where no newspaper may be published, the Bill, in lieu of other local publications, may be read at the Assizes in the presence of the Grand Jury, or before the Municipal Council of the County interested in or affected by the Bill; and a Certificate of such reading shall be endorsed upon, or attached to, the said Bill, by the Clerk of the Court or the Town Clerk, or the Secretary-Treasurer, as the case may be, verified by the Seal (if any) of the Court, Town Council, or Municipal Council, as the case may be; and separate Petitions may be presented to the House, setting forth in detail the object of the measure, and the reasons that may be urged for its adoption.

81. It shall be the duty of all parties seeking the interference of the Legislature in any private bill, to file, with the Clerk of the House, the evidence of their having complied with the Rules and Standing Orders thereof.

71. No Bill shall be read the second time until it has been printed according to a form to be prescribed by the Clerk of this House, and a sufficient number of copies thereof, folded, and with the title and name of the Member who has introduced the same, and the number of the Bill endorsed thereon, have been distributed for the use of the Members, and the Clerk-Assistant shall have certified accordingly on the Orders of the Day, thus: "Printed," signifying that it has been printed according to this Rule, and distributed.

84. No private bill shall be received unless it shall be certified by the Receiver General upon the bill, or by Certificate annexed thereto, that there has been paid into his hands towards the printing and other contingent expenses of the House, the fees following, namely:—

On Bills other than for the incorporation of Companies, \$40 00

On Bills in amendment of such Acts, 30 00

On Bills for the incorporation of Companies, fees to be paid according to the amount of capital, and to be the same as are imposed under the Letters Patent Act for Companies which may be incorporated under that Act.

On Bills amending the last mentioned incorporating Acts, one-third of the original fee.

On Bills for the incorporation of Companies or Associations not having a stated capital, 40 00

On Bills in amendment of such Acts, 30 00

Provided, that where a Bill in respect of which such payment has been made does not pass the Legislature, it may be introduced at the next following Session upon the payment of an additional sum of \$10;

And provided, that this Rule shall not extend to local Bills, not of a private nature, or to Acts for the incorporation of Cemetery Companies or Churches, or relating to the property or objects thereof.

Forms of Bills can be obtained on application to the Clerk of the Legislative Assembly, at his office in Fredericton.

Dated the 7th day of December, A. D. 1904.

HENRY B. RAINSFORD,  
Clerk Legislative Assembly.