

4. Payment of the subscription to the Canadian Patriotic Fund shall be made by the Provincial Treasurer, in such amounts and at such times as the Lieutenant-Governor in Council may determine. When to be paid.

5. This act shall come into force on the day of its sanction. Coming into force.

### CHAP. 3

#### An Act to ratify a grant of public lands to the Northern Colonization Railway Company

*[Assented to 22nd December, 1916]*

**W**HEREAS, by letters patent of the 30th September, 1910, the Northern Colonization Railway Company, incorporated by the act of the Federal Parliament, 62-63 Victoria, chapter 62, as amended by the acts 2 Edward VII, chapter 55, section 1 and 6-7 Edward VII, chapter 78, section 1, obtained a grant of 96,000 acres of land in the Upper St. Maurice territory in the county of Champlain, for its subsidy in land, earned according to law; Preamble.

Whereas the said company was obliged to re-convey the said lands to the Crown for the reasons set forth in the order in council of the 22nd June, 1916, and in the deed of retrocession of the 31st July, 1916;

Whereas new letters patent, dated the 28th July, 1916, were issued in favor of the said company for the same purposes, and to replace those issued on the 30th September, 1910;

Whereas it is expedient to ratify the deed of retrocession of the 31st July, 1916, and the new letters patent of the 28th July, 1916;

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

1. The deed of retrocession of the 31st July, 1916, reproduced in schedule A, and the letters patent of the 28th July, 1916, reproduced in schedule B, annexed to this act, are ratified for all legal purposes and declared valid. Deed and letters-patent ratified.

2. This act shall come into force on the day of its sanction. Coming into force.

## SCHEDULE A

## BEFORE

MTRE J. ARTHUR PERODEAU, the undersigned public notary for the Province of Quebec, practising at the city of Montreal;

## APPEARED:

THE NORTHERN COLONIZATION RAILWAY COMPANY, a body corporate, duly incorporated, having its head office at the city of Montreal, herein acting and represented by George Bury, of the city of Montreal, its President, and Henry C. Oswald, its Secretary, of the city of Montreal, both hereunto duly authorized by resolution of the Board of Directors of said Company passed at a meeting held on the nineteenth day of June, nineteen hundred and sixteen, a copy of which resolution remains hereunto annexed, signed for identification by the parties hereto and said notary;

## AND

HIS MAJESTY KING GEORGE V, herein acting and represented by Elz. Miville Dechêne, Deputy Minister of Lands and Forests for the Province of Quebec, under the authority of two Orders in Council dated the twenty-second day of June, nineteen hundred and sixteen and the seventh day of July, nineteen hundred and sixteen, respectively, copies of which Orders in Council remain hereunto annexed, signed for identification by the parties hereto and said notary;

Who by these presents have declared as follows:

Whereas by letters patent under the Great Seal of the Province of Quebec dated the thirtieth of September, nineteen hundred and ten, the Northern Colonization Railway Company has received as its land subsidy the following lands:

Three separate blocks in the territory of the upper St. Maurice, designated respectively by the Nos. forty-seven, forty-eight and fifty, each one of 32,000 acres, more or less, situate and lying in the county of Champlain, and containing, by admeasurement, 96,000 acres, commencing at a post planted in 1910 by Messrs. J. M. Roy and J. F. Fafard, land surveyors, to mark the southwest corner of block No. thirty-seven (37) and the southeast corner of block No. forty-seven (47), which

post is situated seven chains and thirty links to the east of a post planted by the same land surveyors to fix the northwest corner of block No. thirty-six (36) and the northeast corner of block No. 45, a line running astronomically west for a distance of fifteen miles, seven chains and thirty links, more or less, to a post planted by the same land surveyors to mark the common corner of blocks Nos. fifty, fifty-one, fifty-two and fifty-three (50, 51, 52 and 53); from there astronomically north for a distance of ten miles, more or less, to a post planted by the same land surveyors at the common corner of blocks Nos. fifty, fifty-two, seventy-four and seventy-five (50, 52, 74 and 75); from such post, a line astronomically east for a distance of fifteen miles, more or less, to a post planted by the same land surveyors, to mark the common corner of blocks Nos. thirty-seven, forty-seven, seventy-seven and seventy-eight (37, 47, 77 and 78); thence a line running astronomically south a distance of nine miles, seventy-three chains and ninety links, more or less, to the post of commencement.

Whereas it has been found that a great quantity of these lands are exposed to be flooded by the damming of the River St. Maurice, made under the direction of the running water commission;

Whereas it is in the interest of both the Railway Company and the Government that a new selection of land be made for the land subsidy of the said company;

It is hereby covenanted as follows:

The railway company acting as aforesaid retrocedes to the Crown, represented by the said Elz. Miville Dechêne duly authorized as above mentioned, all the lands described in the said letters patent dated the 30th September, 1910, in order that a new grant of the following lands be made to the said company by letters patent:

All that certain tract of land covering ninety-six thousand (96,000) acres, more or less, and being the west part of the block No. 36 containing twenty-three thousand nine hundred and forty (23,940) acres in the projected township of Deziel; the west part of Block number thirty-seven (37) containing twenty-three thousand seven hundred and sixty-five (23,765) acres, and block number forty-seven, containing thirty-two thousand three hundred and seven (32,307) acres in the projected township of Lindsay, and the south half of block number forty-eight (48) containing fifteen thousand nine hundred and eighty-eight (15,988) acres in the projected township of Magnan, situated in the Upper St. Maurice region, county of Champlain, and bounded as follows, to wit:—Starting from the post erected

by Quebec land surveyor J. F. Fafard on the line between the projected townships of Brochu and Magnan marking the south west corner of block number forty-eight and the south east corner of block number fifty, a line drawn due north astronomically, a distance of five miles to a post; thence due east astronomically a distance of five miles and fifty-seven links to a post on the line between blocks numbers forty-seven and forty-eight; thence, due north astronomically a line dividing the two latter blocks, a distance of four miles seventy-three chains and sixty links, more or less, to the line dividing the projected townships of Magnan and Verreau; thence, due east astronomically, along the latter said line and its prolongation between the projected townships of Lindsay and Dubois a distance of seven hundred and six chains and fifty-five links (706.55); thence, due south astronomically, a line to be drawn a distance of fifteen hundred and ninety-five chains and fifteen links (1595.15) more or less, to the south boundary line of the projected township of Deziel; thence, due west astronomically two hundred and ninety-nine chains and eighty links (299.80) more or less, to a post marking the south west corner of block thirty-six and the south east corner of block number forty-five; thence, due north astronomically the line dividing the two latter said blocks a distance of ten miles three chains and twenty links (10 M. and 3 chs. 20 links) more or less, to the line between the projected townships of Deziel and Lindsay; thence, due west astronomically, along the latter said line and its prolongation between the projected townships of Brochu and Magnan a distance of ten miles two chains and fifty-five links (10 M. and 2 chs. 55 links) more or less to the starting point.

The said company, herein represented as above stated, declares that the lands retroceded to the Crown by these presents are in the same state as they were when patented on the thirtieth of September nineteen hundred and ten, and are free of all charges and encumbrances;

It is also stipulated that both this retrocession and the new patents to be issued will be complete only after their ratification by an act of the Legislature of the Province of Quebec at its next Session, the whole as required by the Order in Council dated the seventh of July, nineteen hundred and sixteen.

WHEREOF ACTE: DONE AND PASSED at the said city of Montreal, on the thirty-first day of July nineteen hundred and sixteen, and of record in the office of the undersigned notary under the number one thousand eight hundred and ninety-seven of his original minutes.

And after due reading hereof the said parties hereto represented as aforesaid, have signed with the said notary.

(Signed) NORTHERN COLONIZATION

RAILWAY COMPANY,

“ GEORGE BURY, *President*,

“ H. C. OSWALD, *Secretary*.

“ ELZ. MIVILLE DECHÊNE,

*Deputy Minister of Lands  
and Forests,*

“ J. A. PERODEAU, N. P.

A true copy of the original of record in my office.

J. A. PERODEAU, N. P.

---

Extract from the minutes of a meeting of the board of directors of the Northern Colonization Railway Company, held at the head office of the company in the city of Montreal, on Monday the 19th day of June, 1916.

The secretary reported to the board that it had been deemed advisable to re-convey to the Quebec Government the three blocks of land in the region of the Upper St. Maurice respectively known as numbers forty-seven, forty-eight and fifty, each containing thirty-two thousand acres of land, situate and being in the county of Champlain in the Province of Quebec, comprising the land grant subsidy from the said Quebec government in respect of 32 miles of railway constructed from Nominigoue to Rapides del'Orignal in exchange for four certain parcels of land situate at the same place described as the west part of block number thirty-six, in the township of Deziel, the west part of block number thirty-seven in the Township of Lindsay, the whole of block number forty-seven in the said Township of Lindsay, and the south part of block number forty-eight in the Township of Magnan; That a cash offer from Messrs. the Brown Corporation, of the city of Quebec in the said Province for the Purchase of the lands to be received from the Quebec government in exchange and above described, and that after consultation with the President and Chairman of the Board of Directors of the Canadian Pacific Railway Company, the said offer had been accepted;

On motion of Mr. Bury, seconded by Mr. Ogden, it was unanimously

## RESOLVED:

That the deeds of the lands hereinbefore described be granted to the Quebec Government and to the Brown Corporation respectively, and the President and Secretary be and they are hereby authorized to execute the said deeds in the form of the drafts now submitted, and signed by the Secretary for identification purposes.

Certified a true extract.

SEAL.

(Signed) H. C. OSWALD, *Secretary*.

This is the Copy of the Resolution of the Directors of The Northern Colonization Railway Company referred to as annexed to the Deed of Retrocession from said Company to His Majesty King George V, executed before J. Arthur Perodeau, Notary, this day, and signed for identification.

Montreal, July 31st, 1916.

(Signed) NORTHERN COLONIZATION  
RAILWAY COMPANY,  
" GEORGE BURY, *President*,  
" H. C. OSWALD, *Secretary*,  
" ELZ. MIVILLE DECHÈNE,  
*Deputy Minister of Lands  
and Forests*,  
" J. A. PERODEAU, N. P.

A true copy.

J. A. PERODEAU,  
N. P.

Copy of the report of a Committee of the Honourable Executive Council, dated the 21st June, 1916, approved by the Lieutenant-Governor on the 22nd June, 1916.

Respecting the land subsidies earned by the Northern Colonization Railway Company.

The Honourable Minister of Lands and Forests, in a report dated 21st June 1916, sets forth: that by letters patent, dated the 30th September 1910, the Northern Colonization Railway Company obtained 96,000 acres of land for its land subsidy, earned under the act 6 Edward VII, chapter 4, such lands being situate in the Upper St. Maurice territory, in the county of Champlain, and described as blocks 47, 48, and 50;

That it is shown that, by the works on the St. Maurice dam, done by the Government under the control of the Quebec Streams Commission, a portion of the lands above

mentioned, namely: the northern part of block 48 and block 50, are exposed to be flooded by the forcing back of the waters of the St. Maurice river by the dam in question, and that the Crown is exposed to have to pay damages under that head;

That the railway company in question is now prepared to re-convey to the Crown the lands covered by the letters patent of the 30th September, 1910, to obtain new letters patent for a quantity of land equal to that mentioned in the letters patent of the 30th September 1910;

That the applicant consents that a new grant of the following lands be given to it:

1. Block 47 and the southern portion of block 48, such block 47 and such southern portion of block 48 forming part of the first grant by letters patent of the 30th September 1910;

2. The western portion of block 36 and the western portion of block 37, the whole of the said lands firstly and secondly described, containing a total area of 96,000 acres, the whole as appears by a plan furnished by the applicant and approved by the department;

That it is in the public interest that the above mentioned changes be made in the said land subsidy earned by the company applying;

The Honourable Minister therefore recommends:

1. That he be authorized to accept the retrocession to the Crown, by means of a notarial deed, by the company applying, of all the blocks of land granted it by the letters patent of the 30th September, 1910.

2. That such retrocession be made and accepted, and that by letters patent a new grant be given the company applying of an equal quantity of land, namely: 96,000 acres, comprised in the following description:

1. Block 47; 2. the southern half of block 48; 3. the western portion of block 36; 4. the western portion of block 37.

All such blocks of land form a total area of 96,000 acres, according to the plan furnished by the applicant and approved by the department, and situate in the St. Maurice territory, in the county of Champlain;

That the letters-patent contain the same conditions as those issued on the 30th September 1910 as regards everything connected with the said grant, with the exception of the change made in the description of the lands granted.

Certified.

(Signed) A. MORISSET,  
*Clerk, Executive Council.*

This is the copy of the Order in Council dated the 22nd June 1916 referred to as annexed to the Deed of Retrocession from The Northern Colonization Railway Company to His Majesty King George V, executed before J. Arthur Perodeau, Notary, this day and signed for identification.

Montreal, 31 July, 1916.

(Signed) NORTHERN COLONIZATION  
RAILWAY COMPANY,  
“ GEORGE BURY, *President*,  
“ H. C. OSWALD, *Secretary*,  
“ ELZ. MIVILLE DECHÊNE,  
*Deputy-Minister of*  
*Lands and Forests*,  
“ J. A. PERODEAU, N. P.

A true copy.

J. A. PERODEAU,  
N. P.

---

Copy of the report of a committee of the Honourable Executive Council dated the 6th July 1916, approved by the Lieutenant-Governor on the 7th July 1916.

On the amendment of the order in council of the 22nd June 1916, respecting the land subsidies earned by the Northern Colonization Railway Company;

The Honourable Minister of Lands and Forests in a report dated 3rd July 1916, sets forth: that, according to a report of the Attorney-General dated the 24th June last, the Government cannot effect the change mentioned in the order in council of the 22nd June, 1916, unless it is authorized by a special act to that effect.

Therefore, the Honourable Minister recommends that the following clause be inserted in the deed of retrocession to be made by the Northern Colonization Railway Company, as well as in the new letters patent to be issued in favor of the said company, namely: “the whole subject to ratification by the Legislature” and that the order in council of the 22nd June be amended accordingly.

Certified.

(Signed) A. MORISSET.  
*Clerk, Executive Council.*



This is the Copy of the Order in Council dated the 7th July 1916 referred to as annexed to the Deed of Retrocession from The Northern Colonization Railway Company to His Majesty King George V, executed before J. Arthur Perodeau, Notary, this day, and signed for identification.

Montreal, 31 July 1916.

(Signed) NORTHERN COLONIZATION  
RAILWAY Co.

“ GEORGE BURY, *President*,

“ H. C. OSWALD, *Secretary*,

“ ELZ.-MIVILLE DECHÈNE,  
*Deputy-Minister of  
Lands and Forests*,

“ J. A. PERODEAU, N. P.

A true copy.

J. A. PERODEAU,  
N. P.

#### SCHEDULE B

CANADA, Province of <i>Quebec</i> , [L. S.]	}	P. E. LEBLANC.
---	---	----------------

*GEORGE THE FIFTH, by the Grace of God, of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, King, Defender of the Faith, Emperor of India.*

TO ALL TO WHOM THESE PRESENTS SHALL COME

GREETING:

WHEREAS, THE NORTHERN COLONIZATION RAILWAY COMPANY, a body politic and corporate having its chief place of business at the city of Montreal in the Province of Quebec has in virtue of the act 6 Edward VII, chapter 4, and in virtue of the orders in Council of the 20th November 1908, 19th November 1909, and 20th August 1910, based on the said act, obtained as its land subsidy the Lands and Tenements hereinafter mentioned and described, of which We are seized in right of Our Crown:

Now KNOW YE, that in consideration of the said act

and orders in council, We have granted, alienated, conveyed and assured and by these Presents do grant, alienate, convey and assure, unto the said The Northern Colonization Railway Company and Assigns for ever All those Parcels or Tracts of Land situated, lying and being in the projected townships of Deziel, Lindsay and Magnan in the County of Champlain in Our Province of Quebec, containing, by admeasurement, ninety-six thousand acres, be the same more or less, together with the usual allowance for highways: which said Parcels or Tracts of Land may be otherwise known as follows, that is to say:

All that certain tract of land covering ninety-six thousand (96,000) acres more or less, and being the West part of the Block No. 36, containing twenty three thousand nine hundred and forty (23,940) acres, in the projected Township of Deziel, the West part of block No. 37 containing twenty-three thousand seven hundred and sixty-five (23,765) acres, and block No. 47 containing thirty-two thousand three hundred and seven (32,307) acres, in the projected Township of Lindsay, and the south half of the Block No. 48, containing fifteen thousand nine hundred and eighty-eight (15,988) acres, in the projected Township of Magnan, situated in the Upper St. Maurice Region, County of Champlain, and bounded as follows, to wit: Starting from the post erected by Q. L. S. Surveyor J. F. Fafard on the line between the projected Townships of Brochu and Magnan, marking the south west corner of Block No. 48, and the south east corner of Block No. 50, a line drawn, due North astronomically, a distance of five miles to a post; thence, due East astronomically, a distance of five miles and fifty-seven links, to a post on the line between Blocks Nos. 47 and 48, thence due North astronomically, a line dividing the two latter Blocks, a distance of four miles seventy-three chains and sixty links, more or less, to the line dividing the projected Townships of Magnan and Verreau; thence, due East astronomically along the latter said line, and its prolongation between the projected Townships of Lindsay and Dubois, a distance of seven hundred and six chains and fifty-five links (706.55); thence due South astronomically, a line to be drawn a distance of fifteen hundred and ninety-five chains and fifteen links (1595.15) more or less, to the south boundary line of the projected Township of Deziel; thence, due west astronomically two hundred and ninety-nine chains and eighty links (299.80), more or less, to a post marking the South west corner of Block 36, and the South East corner of Block 45, thence due North astronomically the line dividing the two latter said Blocks a distance of ten miles, three chains and twenty links (10 m. 3 chs. and 20 links) more or less, to the line between

the projected Townships of Deziel and Lindsay; thence, due West astronomically along the latter said line and its prolongation between the projected Townships of Brochu and Magnan, a distance of ten miles two chains and fifty-five links (10 m. 2 cha. 55 links) more or less to the starting point;

TO HAVE AND TO HOLD the said parcels or Tracts of Land and premises herein before given, granted and confirmed of Us, Our Heirs and Successors, unto and to the use of our said grantee and Assigns for ever. Provided always, that this grant is subject to the laws and regulations concerning public lands, mines and fisheries in this Province, and to all the conditions and restrictions of the said act 6 Edward VII, chapter 4, the Crown reserving also all water power exceeding 200 horse power; the present letters patent to supercede the letters Patent dated the 30 September 1910, in favor of our said grantee, if ratified by an act of the legislature, and shall have their effect from the date of the 30 September 1910: See orders in Council dated the twenty-second June 1916, and the 7th July 1916, respectively. The present grant is also subject to ratification by an act of the legislature of the Province of Quebec at its next session;

GIVEN, under the Great Seal of Our Province of Quebec, WITNESS, Our Right Trusty and Well-Beloved the Honourable Sir PIERRE EVARISTE LEBLANC, Knight Commander of Our Most Distinguished Order of Saint-Michael and Saint-George; Lieutenant-Governor of the Province of Quebec.

AT QUEBEC, this twenty-eighth day of July, in the year of Our Lord one thousand nine hundred and sixteen, and in the seventh year of Our Reign.

By Command

(Sgd) C. J. SIMARD,  
*Deputy-Secretary of the Province.*

(Sgd) ELZ. MIVILLE DECHÊNE,  
*Deputy-Minister of Lands and Forests.*

Recorded the 31st July 1916. Lib. 144, Fol. 44.

(Sgd) C. J. SIMARD,  
*Dep. Prov. Reg.*

---