

not to be held in pledge for more than one year, and then only to be sold after 30 days' notice, the sale to be by auction after 8 days' advertisement in newspapers. Security in no way affected if warehouseman, care-keeper or wharfinger be himself owner of goods pledged. Such advances give priority of lien over unpaid vendor, but not over claim for wages in cutting, "making" and transporting such timber, &c. Giving false receipts, specifications, or bills of lading, or removing goods once pledged without leave of bank, is a misdemeanor punishable by imprisonment for 1 to 3 years. Banks are exempted from prosecution for usury, but can only collect 7 p. c. by legal process. They may charge on a note or bill payable at another branch than that at which it is discounted, on 30 days' paper,  $\frac{1}{2}$  p. c.; on 30 to 60 days,  $\frac{1}{4}$  p. c.; 60 to 90,  $\frac{3}{8}$  p. c.; 90 days over  $\frac{1}{2}$  p. c.; or if payable elsewhere than at place of discount other than branch, not over  $\frac{1}{2}$  p. c. for collection,

#### PUBLIC WORKS DEPARTMENT.

*Cap. 12*—Respecting the Public Works of Canada. A department is constituted, presided over by the M. P. W., who is to be appointed by Governor, who also appoints Deputy, Secretary, Chief Engineer, and such other officers as may be necessary. No contract or deed binds department or government which is not signed and sealed by Minister or Deputy and Secretary. The Governor may at any time require any person, corporation or provincial authority to deliver up maps, plans, reports, &c., relating to public works under control of this department. All works, records and implements for improving the navigation, all works for facilitating the transmission of timber, roads, bridges, public buildings and railways, the Provincial steamers, and other property in hands of former Provincial Governments, including the ordnance property transferred to Canada and placed under control of the P. W. D., shall be vested in Her Majesty and under the control of the M. P. W., except those works, &c., transferred to the provinces, to municipalities, private companies or other parties, or placed under the control of another department, or works abandoned and left to the control of municipalities. The Governor may, from time to time, by proclamation, declare any work purchased or constructed at public expense and not transferred to the Provinces, to be works under this Act, and subject to the P. W. D. All public works hereafter constructed or completed at expense of Canada shall be under its control. No warrant for money voted for any public work shall issue without certificate of the M. P. W. or his deputy. He may require accounts of contractors to be attested by oath, and may send for and examine parties on oath respecting business of department. Annual report is to be made to Governor and submitted to parliament. Tenders are to be invited for all works, except in cases of pressing necessity. When it is deemed expedient that lowest tender should not be taken case to be reported to Governor and his authority obtained. Sufficient security in all cases to be taken, and no work to be begun or payment made till contract is duly executed. The M. P. W. can authorize persons in employ of department to enter upon any property, private or public, for the purposes of survey for public works. Surveys made by employee of the P. W. D. shall have same force and authority as if made by Provincial Land Surveyor. The M. P. W. may take possession of any property necessary for public work, and may acquire a good title from curators to parties incapable of contracting which as between private parties would not be good. By his agents he may take wood, sand or other materials from any uncleared lands for public works, and open temporary roads to them, and may turn necessary drains upon private property, making due compensation. Such compensation to be paid within six months after it has been agreed upon or appraised. Before taking possession of property the M. P. W. may tender the reasonable value and three days thereafter take the property. When owners are not residents on the property, he advertises his intention to take possession. He may alter the line of any public road and remove fences and construct ditches during the time the work is going on, repairing the damage after its completion. The Governor may appoint a board of arbitrators, to consist of not more than four members, to whom all claims for land or other property taken by the P. W. D., and for any damages done, and for any deductions from accounts for work, may be referred by the Minister, after he has tendered what he conceives a sufficient compensation. He may refer them to one or more; but the decision is subject to appeal to the board, when not referred to the whole board. Claims must be filed within 12 months after they arise. Arbitrators may summon witnesses from any place in Canada and allow them \$1 per diem, besides reasonable traveling expenses. No witness shall be compelled to remain in attendance for more than 3 days. Penalty for non-attendance, \$5 to \$25, recoverable before a J. P. Such documents may be ordered to be produced as in courts of law. No award upon a claim for work is to be made for expenditure not authorized by contract. Copies of awards are to be furnished to M. P. W. and claimants within one month. If the decision be not by the whole board, appeal from it may be brought within one month after such delivery. Costs to follow award, and to be taxed by Superior Courts. Works required for defence by G. in C., or declared necessary by Commander of the Forces, may be declared to be public works, and claims for land taken for the same, or damages done, or enforcement of the obligation to keep ground free from obstructions, may be dealt with under this Act; which shall not, however, diminish powers already possessed by the Secretary of State for War. The M. P. W. may enter into an agreement with any Provincial Government, municipality or company, to transfer any public work to it upon such terms and conditions as may be agreed upon, one of which shall be to keep the same in repair, &c.; may, with consent of grantee, take the same back again, and resume control thereof. The G. in C. may, by order, impose tolls for the use of the public works, to be always payable in advance. Vessels running the rapids in the St. Lawrence are liable for dues as if they passed through the canals. H. M. troops are exempt from tolls, and horses and vehicles employed in H. M.'s service; but not vessels on canals conveying them. Collector may recover tolls in civil courts, and penalties are recoverable before a J. P., and may be levied on goods and chattels, in default of which offender may be committed to gaol. Any goods on a vessel or vehicle seized for tolls, dues or fines, are liable therefor, to whomsoever they belong. Tolls on public roads may be let out to farm, and farmer has the same right as to collection as Collector. The G. in C. may make regulations respecting management and use of public works, and impose fines for their infraction not exceeding \$400, and authorize seizures and sales of property for payment of penalties or damages. The laws respecting railways and public works heretofore in force in Ontario and Quebec are extended to N. B. and N. S., so that any person breaking regulations of G. in C., or of a railway company, so as to cause an accident or increase the danger thereof, is punishable at the discretion of the court, by a fine of not more than \$400, or imprisonment not exceeding 5 years, or both. If no such injury is done or danger caused, the penalty is 15 to 30 days' pay.

#### INTERCOLONIAL RAILWAY.

*Cap. 13*—Is the Intercolonial Railway Act. It provides for the building of the railway from Riviere du Loup to Truro, by four commissioners, to be appointed by the Governor, who also appoints the Chief Engineer. It is declared to be a public work belonging to Canada, and is to be made with a