

stock are empowered to raise, by means of such stock, all moneys which they may for the time being be authorised to raise on mortgage or bond :

And whereas doubts are entertained whether it is lawful for trustees who may be authorised to invest trust funds in the mortgages or bonds of companies to invest such funds in debenture stock :

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

1. Where a power has before the passing of this Act been or shall at any time hereafter be given to trustees to invest trust funds in the mortgages or bonds of a railway company or of any other description of company, such power shall, unless the contrary is expressed in the instrument creating the power, be deemed to include a power to invest such funds in the debenture stock of a railway company or such other company as aforesaid, and an investment of trust funds in debenture stock made be made accordingly.

Power to trustees to invest in debenture stock.

2. The expression "trustees" shall include executors and administrators and any other persons holding funds in a fiduciary capacity.

Definition of "trustees."

3. This Act may be cited for all purposes as "The Debenture Stock Act, 1871."

Short title.

## CHAP. 28.

An Act respecting the establishment of Provinces in the Dominion of Canada. [29th June 1871.]

WHEREAS doubts have been entertained respecting the powers of the Parliament of Canada to establish Provinces in territories admitted, or which may hereafter be admitted, into the Dominion of Canada, and to provide for the representation of such Provinces in the said Parliament, and it is expedient to remove such doubts, and to vest such powers in the said Parliament :

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

1. This Act may be cited for all purposes as "The British North America Act, 1871."

Short title.

2. The Parliament of Canada may from time to time establish new Provinces in any territories forming for the time being part of the Dominion of Canada, but not included in any Province thereof, and may, at the time of such establishment, make provision for the constitution and administration of any such Province, and for the passing of laws for the peace, order, and good government of such Province, and for its representation in the said Parliament.

Parliament of Canada may establish new Provinces and provide for the constitution, &c. thereof.

Alteration of limits of Provinces.

3. The Parliament of Canada may from time to time, with the consent of the Legislature of any Province of the said Dominion, increase, diminish, or otherwise alter the limits of such Province, upon such terms and conditions as may be agreed to by the said Legislature, and may, with the like consent, make provision respecting the effect and operation of any such increase or diminution or alteration of territory in relation to any Province affected thereby.

Parliament of Canada may legislate for any territory not included in a Province.  
Confirmation of Acts of Parliament of Canada.  
32 & 33 Vict. (Canadian) cap. 3.  
33 Vict. (Canadian) cap. 3.

4. The Parliament of Canada may from time to time make provision for the administration, peace, order, and good government of any territory not for the time being included in any Province.

5. The following Acts passed by the said Parliament of Canada, and intituled respectively,—

“ An Act for the temporary government of Rupert’s Land  
“ and the North Western Territory when united with  
“ Canada;” and

“ An Act to amend and continue the Act thirty-two and  
“ thirty-three Victoria, chapter three, and to establish  
“ and provide for the government of the Province of  
“ Manitoba,”

shall be and be deemed to have been valid and effectual for all purposes whatsoever from the date at which they respectively received the assent, in the Queen’s name, of the Governor General of the said Dominion of Canada.

Limitation of powers of Parliament of Canada to legislate for an established Province.

6. Except as provided by the third section of this Act, it shall not be competent for the Parliament of Canada to alter the provisions of the last-mentioned Act of the said Parliament in so far as it relates to the Province of Manitoba, or of any other Act hereafter establishing new Provinces in the said Dominion, subject always to the right of the Legislature of the Province of Manitoba to alter from time to time the provisions of any law respecting the qualification of electors and members of the Legislative Assembly and to make laws respecting elections in the said Province.

## CHAP. 29.

An Act to facilitate the Payment of Dividends on India Stocks. [29th June 1871.]

WHEREAS by the National Debt Act, 1870, section twenty, it is enacted, that the Banks of England and Ireland respectively may, with the sanction of the Treasury, make arrangements for payment of dividends on stock by sending warrants through the post, and it is expedient that this provision should be amended as regards payment of dividends on India stock:

Be it enacted by the Queen’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and

Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

1. The power given to the said banks, as above recited, to make arrangements for payment of dividends on stock by sending warrants through the post shall, as regards the payment of dividends on India five per cent. stock, and India four per cent. stock, and on any stock which may be in future created under the powers in that behalf vested in the Secretary of State for India in Council by Acts of Parliament now in force, be exercised with the sanction of the Secretary of State for India in Council instead of the Treasury ; and where a holder of any such stock desires to have his dividend warrants sent him by post, he shall make his request as in the said Act provided, but in a form approved by the Bank and the Secretary of State for India in Council ; and the provisions of sections twenty and twenty-one of the said Act shall, with this variation, apply to payment of dividends on the aforesaid India stocks, and to warrants for the same sent by post.

Arrangements for sending dividend warrants on certain India stocks through the post to be made with the sanction of the Secretary of State in Council.

## CHAP. 30.

### An Act for the further regulation of the Duties on Postage. [29th June 1871.]

**B**E it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

1. It shall be lawful for the Commissioners of Her Majesty's Treasury from time to time, by warrant under their hands, to reduce the rates of postage to be charged for the use of Her Majesty, on letters sent by post between places in the United Kingdom, and to regulate the scale of weights according to which such rates are to be charged, and to revoke, alter, or add to any warrant previously made under this section, so, however, that the lowest rate of postage be not less than one penny.

Reduction of rates of postage by warrant of the Treasury.

2. This Act, including any warrant made thereunder, shall be construed as one with the Acts mentioned in Schedule One to this Act, and the term "this Act" in the last-mentioned Acts shall be construed to include this Act and such warrant, and the Acts mentioned in the said schedule and this Act may be cited together as "The Post Office (Duties) Acts, 1840 to 1871," and each of the two first of the said Acts may be cited as the Post Office (Duties) Act of the year in which it was passed.

Construction of Act.

3. This Act may be cited as "The Post Office (Duties) Act, 1871."

Short title.

4. Upon any warrant, made under this Act, coming into operation, the Acts mentioned in Schedule Two to this Act shall be repealed to the extent in the third column of that

Repeal of Acts in Schedule Two.