

EXPLANATORY NOTES.

The purpose of this Act is to remove any doubts as to the power of Niagara Lower Arch Bridge Company Limited to sell, assign, transfer or convey its bridge, works, undertakings, franchises, privileges, powers, rights and property, real, personal and mixed.

Niagara Lower Arch Bridge Company Limited, in conjunction with Niagara Falls International Bridge Company (a company incorporated by special act in the State of New York) owns and operates a vehicular and railway bridge across the Niagara River between the cities of Niagara Falls, Ontario, and Niagara Falls, New York.

Sections 1 and 13 of the original act of incorporation, chapter 112 of the Provincial Statutes of Canada, 1846, provide in part as follows:

“ . . . and that they (the Directors) and their successors . . . shall be by law capable of purchasing, having and holding any real or personal estate to or for the use of the said company, and of conveying the same for the benefit of the said company:

“ That the Directors . . . shall have power to make and subscribe such Rules and By-laws as to them shall appear needful and proper touching the management and disposition of the stock, property, estate and effects of the said Corporation . . . ”

Although there is no question as to the validity of the Company's title to its undertaking, doubts have arisen as to its power to convey its undertaking and more particularly to convey its franchise to operate a bridge and collect tolls thereon.

It is deemed expedient for the public benefit of Canada that such doubts be removed.