

No. 280.

4th Session, 6th Parliament, 24 Vic., 1861

BILL.

An Act to incorporate "The Clifton Suspension Bridge Company."

Received and read, first time, Friday, 26th
April, 1861.

Second reading, Monday, 29th April, 1861.

Hon. Mr. DRUMMOND.

QUEBEC :

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An Act to incorporate the Clifton Suspension Bridge Company.

WHEREAS the persons hereinafter mentioned have, by their Petition to the Legislature, prayed to be incorporated for the purposes and subject to the provisions hereinafter made ; Therefore, Her Majesty, &c., enacts as follows :

Preamble.

- 5 I. Hervey W. Price, and Nelson Forsyth, and all persons who shall become shareholders in the undertaking hereinafter mentioned, pursuant to this Act, shall be and they are hereby constituted a body politic and corporate by and under the name, style and title of "The Clifton Suspension Bridge Company," with power to unite with any other persons, Company, or body politic, to construct a Suspension or other Bridge across the Niagara river near the Falls, with the necessary approaches thereto, with Rail, Macadamized, or other roads, and to connect the same with any other road now or hereafter to be made; and the said Corporation, by the name aforesaid, shall and may, they and their successors, have continued succession and be capable of contracting and being contracted with, suing and being sued, pleading and being impleaded, answering and being answered unto, in all Courts and places whatsoever, in all manner of actions, suits, complaints, matters and concerns whatsoever; and they and their successors may and shall have a common seal, and may change and alter the same at their will and pleasure; and also they and their successors, under the said name of "The Clifton Suspension Bridge Company," shall be by law capable of purchasing, having and holding any real and personal estate to and for the use of the said Company, and of conveying the same for the benefit of the said Company: Provided that the value of the real estate held by the said Company shall not exceed the sum of one hundred thousand dollars.

Company incorporated.

Name and purposes.

Corporate powers.

Property.

Proviso.

- 30 II. The said Company shall be at liberty to use and take so much of the Crown Lands on the margin of the Niagara river as may be necessary for the purposes of the said Company, paying a reasonable sum therefor; which sum, in case of any dispute, shall be settled by three arbitrators—one of whom shall be chosen by the Honorable the Commissioner of Crown Lands for the time being, and one by the said Company, which two arbitrators shall choose a third,—the decision of whom, or of a majority of whom, shall be final; and, in the case of either party delaying for a period of three weeks after notice of the appointment of one arbitrator to appoint a second arbitrator, such party giving notice shall be at liberty to appoint a second, which two arbitrators shall appoint a third,—the decision of which said arbitrators, or of a majority of them, shall be final.

Company may take Crown lands, paying a price to be settled by Arbitration.

- 40 III. Two hundred thousand dollars shall constitute the capital stock of the said Company, and the same shall be divided into shares of one hundred dollars each.

Capital and shares.

- Directors. IV. The stock and affairs of the Company shall be managed by three Directors, who shall be shareholders, and who shall be chosen by a majority of the stockholders on the first Monday in July in every year, at the Town of Clifton, at such place therein as the outgoing Directors shall appoint; and the said Hervey W. Price and Nelson Forsyth shall be Directors, *pro tempore*, until the first day of July next. Each share shall constitute a vote. Shareholders may vote by proxy. The vote shall be taken by ballot. The persons having the greatest number of votes shall be Directors, and shall at their first meeting appoint a President, and shall have power to appoint a Treasurer. 5
- First Directors. 5
- Votes and proxies. 10
- President. 10
- When to collect Tolls. V. When the said Bridge shall be erected and fully tested, and its safety certified by a majority of the Directors, the said Corporation may erect a gate or gates and determine and establish the rates of tolls to be demanded for the use of the said Bridge.
- Penalty for passing without paying Toll. VI. If any person shall forcibly pass any gate, without having paid the legal toll, such person or persons shall forfeit and pay to the said Corporation a sum of not less than *five dollars* nor more than *twenty*, to be recovered before any Justice of the Peace of the County of Welland, in the same manner as other fines are recoverable before Justices of the Peace. 15 20
- Company may make By-laws, and impose penalties for infraction. VII. The said Corporation shall have power to make such rules and pass such By-laws as they may think reasonable and proper, with suitable penalties not in any case exceeding *eighty dollars*, touching the speed in passing over the said Bridge and the weight to be admitted thereon at any time,—which rules, as well as the rates of toll, shall be plainly painted and put up in a conspicuous place at each gate; and such penalties, if incurred, shall be recovered in like manner as the penalties hereby imposed. 25
- Site of Bridge and when to be completed. VIII. The said Bridge shall be built at least three furlongs to the south of the Niagara Falls Suspension Bridge: it shall be built within three years after the passing of this Act; and, if not then built, the said Corporation and all privileges hereby conferred shall thenceforth cease and determine. 30
- Expenses of obtaining this Act. IX. All the expenses incurred in obtaining this Act shall be first paid and reimbursed to the said Hervey W. Price and Nelson Forsyth, and shall constitute the first and paramount charge on the said Bridge. 35
- Public Act. X. This Act shall be a Public Act.