

No. 65.

1st Session, 1st Parliament, 81

BILL.

**An Act to incorporate the
pension Bridge Company.**

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OTTAWA:

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An Act to Incorporate the Clifton Suspension Bridge Company.

WHEREAS, John T. Bush, Samuel Keefer, William O. Buchanan, Delos DeWolf, William G. Fargo, Virus W. Smith, and Hollis White, have by their petition set forth the great necessity and convenience of a Suspension Bridge over the Niagara River immediately 5 below the Falls of Niagara, and have prayed that they and such others as may be associated with them for the purposes hereinafter mentioned may be incorporated with the powers necessary to enable them to construct such a Bridge,—and it is expedient to grant the prayer of their petition; Therefore Her Majesty, by and with 10 the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. That the said John T. Bush, Samuel Keefer, William O. Buchanan, Delos DeWolf, William G. Fargo, Virus W. Smith and Hollis White, and all persons who shall become Shareholders of the 15 Company hereby incorporated, shall be and are hereby constituted a body corporate and politic, by and under the name of the Clifton Suspension Bridge Company, with power to unite with any other person or company to construct a Suspension Bridge over the Niagara River below the Falls, at or near the Clifton House, with the 20 necessary approaches thereto.

2. The said Company shall be capable of purchasing, having and holding any real or personal estate to and for the use of the said Company, and of conveying the same for the benefit of said Company; 25 provided that the value of the said estate so holden by them at any time shall not exceed, one hundred thousand dollars.

3. The Capital Stock of the said Company shall be One Hundred thousand dollars, divided into shares of one hundred dollars each, with power to the Shareholders, at a general meeting specially convened for that purpose, after notice thereof published for two weeks 30 in one newspaper in the County of Welland, to increase the said capital to two hundred and fifty thousand dollars.

4. The stock, property and affairs of the said corporation shall be managed by five Directors, who shall be Shareholders annually chosen 35 on the first Monday of May in each year, at such place in the Town of Clifton, as the majority of the Directors shall appoint; The persons named in the first clause of this Act shall be and act as Directors until the first Monday in May, next after the passage of this Act, and until their successors shall have been chosen; Each Shareholder at all elections of Directors shall be entitled either in person or 40 by proxy to one vote for each share of stock held in his own name; All elections of Directors shall be by ballot, and the persons having the greatest number of votes shall be Directors and shall hold office for one year and until their successors shall have been chosen; The Directors for the time being may fill any vacancy 45 occurring in the Board, by the appointment of some other Shareholder thereto, who shall hold office until the next annual election; The Directors shall at the first meeting after each election, appoint one of their number to be President of the Corporation, who shall hold office till the next annual election.

Power to
take lands.

5. The said Directors shall have full power to enter upon, take and occupy any lands necessary for the construction of, and approaches to the said Bridge, first paying or tendering the value thereof, which value shall be determined by two persons selected, one by the claimant and the other by the said Company, and in case they do not agree a third person to be appointed by the Lieutenant-Governor of the Province of Ontario, whose decision shall be final. 5

By-laws.

6. The Directors or a majority of them shall have power from time to time to make and establish such 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 and touching the duties of its officers, clerks and servants, their appointments and salaries, and all such other matters and things as shall appertain to the business of the Corporation. 10

Power to
erect Toll-
gates.

7. When the said Bridge shall have been completed and its safety fully tested, and the fact certified to by a majority of the Directors, the said corporation may erect a Gate or Gates and determine and establish the rate of Tolls to be demanded for going upon or crossing said Bridge, which Tolls shall not exceed fifty cents for each carriage or vehicle drawn by two horses including the driver thereof, thirty-five cents for a single horse carriage and driver, and twenty cents for each other person. And if any person shall forcibly pass such gate without having paid the legal toll, such person shall forfeit and pay to the said corporation a sum not less than five dollars and not exceeding fifty dollars, to be recovered before any Justice of the Peace for the County of Welland, in the same manner as any other fines are recoverable before a Justice of the Peace. 15 25

Rules touch-
ing use of
bridge.

8. 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 exceeding in any case fifty dollars) touching the speed in passing over the said Bridge and the weight to be admitted thereon at any one time; Which rules, as well as the rate of Toll, shall be plainly painted on a Board or Cloth and put up in or near each Gate in a conspicuous place, and such penalties if incurred shall be recoverable as in a manner aforesaid. 35

Neglect of
duty, &c., by
Toll Collector

9. If any Toll collector shall unreasonably and otherwise cause delay or hinder any passenger or the passage of any property agreeably to the rule prescribed in such case, or shall demand or receive more than the legal Toll, he shall for every such offence forfeit the sum of ten dollars with costs, for the use of the person or persons delayed or defrauded, to be recovered as in manner aforesaid. 40