



No. 120.

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5th Session, 8th Parliament, 63 Victoria, 1900

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BILL.

An Act to incorporate the Ottawa,  
Brockville and New York Railway  
Company.

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First reading, March 29, 1900.

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(PRIVATE BILL.)

MR. FROST.

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OTTAWA  
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1900

An Act to incorporate the Ottawa, Brockville and  
New York Railway Company.

**WHEREAS** a petition has been presented praying that it be Preamble.  
enacted as hereinafter set forth, and it is expedient to  
grant the prayer of the said petition : Therefore Her Majesty,  
by and with the advice and consent of the Senate and House of  
5 Commons of Canada, enacts as follows :—

- 1.** Alexander McLean, James Straton, George Eldon Kidd Incorporation.  
and Charles Willson Farran Gorrell, of the city of Ottawa,  
Daniel Derbyshire and Daniel Downey, of the town of Brock-  
ville, A. E. Baker, Robert W. Watchorn and G. B. Magec of  
10 the village of Merrickville, in the county of Grenville, to-  
gether with such persons as become shareholders in the com-  
pany, are incorporated under the name of “The Ottawa, Corporate  
Brockville and New York Railway Company,” hereinafter name.  
called “the Company.”
- 15 2.** The persons named in section 1 of this Act are constituted Provisional  
provisional directors of the Company. directors.
- 3.** The capital stock of the Company shall be one million Capital stock.  
dollars, and may be called up by the directors from time to  
time as they deem necessary, but no one call shall exceed ten  
20 per cent on the shares subscribed.
- 4.** The head office of the Company shall be at the city of Head office.  
Ottawa.
- 5.** The annual meeting of the shareholders shall be held on Annual  
the first Tuesday in September in each year. meeting.
- 25 6.** At such meeting the subscribers for the capital stock Election of  
assembled who have paid all calls due on their shares, shall directors.  
choose five persons to be directors of the Company, one or  
more of whom may be paid directors.
- 30 7.** The Company may lay out, construct and operate a rail- Line of  
way of the gauge of four feet eight and one-half inches, from railway  
a point in or near the city of Ottawa, thence through the described.  
counties of Carleton, Grenville and Leeds, to a point at or  
near the town of Brockville, in the said county of Leeds, or  
to a point on the Brockville, Westport and Sault Ste. Marie  
35 Railway.
- 8.** The Company may construct and carry the said lines of Power to  
railway along and upon such streets and highways in any construct on  
streets and highways.

municipality as it may be authorized under any agreement with and by-law of the corporations respectively having jurisdiction over such streets and highways, and subject to any restrictions contained in such agreement and by-law or in this Act, and under and subject to any agreements made between the councils of any of the said corporations and the Company. 5

Conduits,  
poles and  
wires on  
highways.

9. The Company, subject to any restrictions contained in any resolution or agreement with any municipality having jurisdiction over any of the streets or highways upon which it may be authorized to carry its lines of railway as aforesaid, and subject to the provisions contained in subsection 2 of section 90 of *The Railway Act*, except paragraphs (b) and (g) thereof, may lay conduits under or erect poles and wires along, over and upon any of the public roads and highways of the said municipalities respectively, and may also acquire the right to lay conduits under or to erect poles and wires along, over and upon, and to convey electricity required for the working of the railway, for furnishing power to, or lighting or heating the same, upon, over or under lands other than the right of way of the railway, and upon, over, under or across any streams, rivers, lakes or waters, and for any of the purposes aforesaid to erect the necessary fixtures, including posts, piers or abutments for sustaining wires, cables, conduits and other electrical appliances. 10 15 20

1888, c. 29.

Electricity.

Bond issue  
limited.

10. The Company may issue bonds, debentures or other securities to the extent of twenty-five thousand dollars per mile of the railway and branches, and such bonds, debentures or other securities may be issued only in proportion to the length of railway constructed or under contract to be constructed. 25

Time for  
construction  
limited.

11. [The railway shall be commenced within three years and completed within five years from the passing of this Act, otherwise the powers hereby granted shall cease and be null and void as respects so much of the railway as then remains uncompleted.] 30

Electricity.

12. The Company may erect, use and carry on works for the generation, transmission and distribution of electrical power and energy; and acquire, develop and utilize water and steam power for the purpose of generating electricity for all purposes in connection with its railway and works, and may dispose of any surplus electricity or other power generated by its works, and not required for operating its railway or other works; and acquire exclusive rights in letters patent, franchises or patent rights for the purposes of the works hereby authorized and again dispose thereof. 35 40

Ferry.

13. The Company may construct, own and operate a ferry from a point in or near the town of Brockville, in the county of Leeds, across the River St. Lawrence, to a point in or near the town of Morristown, in the State of New York, for the purpose of transporting trains, passengers, goods and merchandise in connection with the business of the Company. 45 50

14. The Company may enter into an agreement with the Ottawa Electric Railway Company, the Canadian Pacific Railway Company, the Grand Trunk Railway Company of Canada, or the Brockville, Westport and Sault Ste. Marie Railway Company, for conveying or leasing to such company the railway of the Company, in whole or in part, or any rights or powers acquired under this Act, as also the franchises, surveys, plans, works, plant, materials, machinery and other property to it belonging, or form an amalgamation with such company
- 5 on such terms and conditions as are agreed upon, and subject to such restrictions as to the directors seem fit; provided that such agreement has been first approved by two-thirds of the votes at a special general meeting of the shareholders duly called for the purpose of considering it, at which meeting, 10 shareholders representing at least two-thirds in value of the stock are present or represented by proxy, and that such agreement has also received the sanction of the Governor in Council.
2. Such sanction shall not be signified until after notice of the proposed application therefor has been published in the manner and for the time set forth in section 239 of *The Railway Act*, and also for a like period in one newspaper in each of the counties through which the railway of the Company runs, and in which a newspaper is published.
- 20 3. A duplicate of the agreement referred to in subsection 1 of this section shall, within thirty days after its execution, be filed in the office of the Secretary of State of Canada, and notice thereof shall be given by the Company in *The Canada Gazette*, and the production of *The Canada Gazette* containing such notice shall be prima facie evidence of the requirements of this Act having been complied with.
- 25 30

Agreement with another company.

Approval of shareholders and Governor in Council.

Notice of application for sanction.

Agreement to be filed with Secretary of State.