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No. 349.
(PRIVATE BILL.)

1st Session, 4th Parliament, 16 Victoria, 1853.

BILL.

An Act to authorize the formation of a
Company to be called "*The Paris*
Hydraulic Company."

Received and Read a first time, Friday, 15th
April, 1853.

Second Reading, Monday, 18th April, 1853.

MR. CHRISTIE of Wentworth.

QUEBEC:
PRINTED BY JOHN LOVELL, MOUNTAIN STREET.

1852-3.]

BILL.

[No. 349.

An Act to authorize the formation of a Company to be called "*The Paris Hydraulic Company.*"

(See also page 833)

WHEREAS the erection of a dam for hydraulic purposes across the Grand River, in that part of the Village of Paris, situated in the first concession of the Township of Brantford, in the County of Brant, would greatly promote trade, commerce and private enterprise in that part of the Province ; And whereas John Smith and Robert Rosebrugh have procured in fee simple and right of way, a sufficient amount of land on the west side of said river for head and tail races, together with suitable sites for the erection of machinery ; and whereas considerable sums of money have been expended in the formation of such head and tail races ; And whereas the said John Smith and Robert Rosebrugh, with Henry John Greenstead, Hugh Finlayson, and Robert McCosh have prayed for an Act of incorporation for the purposes aforesaid ; Be it therefore enacted, &c.,

Preamble.

That the said John Smith, Robert Rosebrugh, Henry John Greenstead, Hugh Finlayson, and Robert McCosh, together with all such other persons as shall hereafter become Stockholders in the Company established by this Act, shall be and are hereby constituted and declared to be a body corporate by the name and style of "The Paris Hydraulic Company," and by that name they and their successors shall and may have continued succession, and shall 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, and shall have a corporate seal, and from time to time may change and alter the same, and also that they and their successors by the said name, shall be in law capable of having and holding by purchase or gift to them and their successors, any estate, real or personal, to and for the use of the said Company, and of letting, selling, conveying or otherwise disposing of any part or parts thereof, for the benefit of and on account of the said Company, as the Directors of said the Company may from time to time deem necessary or expedient.

The Petitioners and others incorporated.

Corporate name and general powers.

II. And be it enacted, That it shall and may be lawful for said Company to construct and build a dam, across the Grand River, in that part of the Village of Paris situated in the first concession of the Township of Brantford, and County of Brant, with all necessary moles, piers and abutments, on and against the banks of both sides of said Grand River for securing such dam, and to cut a Canal or Canals on the westerly side of the said river for head and tail races, for the purpose of leading the water from the said river for hydraulic purposes, and from time to time to alter, amend and repair the said dam, moles, piers and abutments, and from time to time within the limits aforesaid, and to alter, widen, deepen, improve, and repair the said head and tail races, as to the said Company shall seem necessary, and also from time to time to

Company may dam the Grand River at a certain place and construct hydraulic works.

do such other acts or things as may be necessary for the erection, completion, maintenance, regulation and protection of the said works according to the true intent and meaning of this Act, and such dam, water and works, shall be deemed to be the property of the said Company: 5

Proviso. Provided always, that such dam shall be constructed with suitable inclined planes or slides, of not less than thirty feet in width for the passage of rafts, and the said Company shall keep and maintain such slides in efficient repair.

Affairs to be managed by five Directors. III. And be it enacted, That the stock, property and works of the Company, shall be managed by five Directors, (three of whom shall be a quorum,) to be annually elected by the Stockholders, and such five Directors shall elect one of their number to be President of the said Company, and at all elections of Directors each Stockholder shall be entitled to one vote for each share held by him or her, and such Stockholders may vote by proxy : Provided that no person shall be eligible as 15

Proviso. a Director of the said Company, unless he be a holder in his own right of at least five shares of the stock of the said Company, nor unless he shall have paid all calls that may have been made and shall be due on his shares at the time of such election: Provided also, that the said John Smith, Robert Rosebrugh, Henry John Greensted, Hugh Finlayson, and Robert McCosh, shall be Directors of the said Company, until the first 20

Proviso. election.

Capital Stock. IV. And be it enacted, That the Capital Stock of the Company shall not exceed £3000, and such stock shall be divided into shares of five 25

Shares. pounds each, and five shillings on each share shall be payable at the time of subscribing, and the remainder at such time or times as the Directors from time time may direct.

Subscription Books. V. And be it enacted, That from and after the passing of this Act, the Directors may cause subscription books for stock to be opened, of which ten days public notice shall be given of the time and place, and 30

First meeting of Stockholders. so soon as £2000, or more of the Capital Stock shall have been subscribed, the Directors shall call a meeting of Stockholders for the purpose of electing Directors, who shall hold office for one year from the date of such election, of which election ten days notice shall be given.

Company may exercise certain powers after first election of Directors. VI. And be it enacted, That so soon as Directors shall have been 35

Proviso. elected as provided for in the preceding section, it shall be lawful for said Company, their successors and assigns, to proceed with the said works, and to take, (subject to the restrictions and limitations hereinafter provided,) occupy, possess, and hold, for the uses and purposes aforesaid, the lands, premises, and rights of way necessary for the said dam, moles, piers, abutments, head and tail races, and sites for the erection of mills, factories, and machinery of any kind soever, with necessary and convenient roads, streets, ways and approaches to the same, and to receive and hold titles for the same or any of them, and such lands as may by reason of said dam overflow and which may be adjacent to the said river : Provided 40

always, that said Company shall not take, occupy, or possess for any of the uses and purposes aforesaid, any premises, right of way or easement without the consent in writing of the owner or owners thereof.

Forfeiture for non-payment of calls. VII. And be it enacted, That if any Stockholder or Stockholders shall neglect or refuse to pay any of the calls which shall have been made as 55

aforesaid, on his or her shares at the time or times appointed by the said Directors, the Directors may either sue such Stockholder or Stockholders in

any Court having jurisdiction for the amount of such call so due by such Stockholder or Stockholders, or forfeit the stock held by such Stockholder or Stockholders, together with the payments which may have been previously made on such stock : Provided always, that such calls remaining unpaid shall have been due for the space of three months after personal demand for such call or calls in arrear, or after such call shall have been published six weeks in a newspaper, printed in the Village of Paris.

VIII. And be it enacted, That the Directors shall have power to make By-laws for the management of all the affairs of the Company, and may from time to time alter and amend the same, and a copy of any such By-law certified by the Secretary or other officer having charge of the same, and having the seal of the Company affixed to it, shall be *prima-facie* evidence of the contents of such By-law in Courts of law and equity, and every such Secretary or other officer shall furnish such attested copy when required by any person, on payment of _____ for every one hundred words.

IX. And be it enacted, That the Directors may rent, lease, sell or otherwise dispose of the whole of the water power, lands, works, and fixtures of the Company, or a part or parts of the same, or of one or more of them, to any person or persons, body or bodies corporate, on such terms and conditions of payment and rules and regulations for the using and occupying the same and keeping the dam and works in repair as may be agreed upon : Provided that such agreement shall not be inconsistent with the terms of this Act.

X. And be it enacted, That the Stockholders severally, shall be liable for the debts of the Company to the amount of so much of their respective shares as shall be then unpaid.

XI. And be it enacted, That the stock of the Company shall be deemed personal estate and may be transferable in such manner and on such terms as shall be provided by any By-law of the said Company.

XII. And be it enacted, That the Directors may declare dividends out of the sales, profits and incomes of the property of the said Company : Provided always, that no declaration of dividends shall be such as to render the Company insolvent or impair its ability to pay its liabilities.

XIII. And be it enacted, That this Act shall be deemed a Public Act.