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No. 120.

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3rd Session, 5th Parliament, 20 Victoria, 1857.

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## BILL.

An Act to amend the Acts incorporating the Montreal Telegraph Company, and to authorize the establishment of a Transatlantic Line of Telegraph by the said Company.

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Received and read, first time, Tuesday, 17th March, 1857.

Second reading, Wednesday, 18th March, 1857.

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MR. HOLTON.

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TORONTO:

An Act to amend the Acts incorporating the Montreal Telegraph Company, and to extend the powers of the said Company, and to authorize the establishment of a Transatlantic line of Telegraph by the said Company.

**W**HEREAS the Montreal Telegraph Company was constituted a body corporate and politic by the name aforesaid, in and by the provisions of an Act passed in the 10th and 11th years of the Reign of Her Majesty, intituled, "*An Act to incorporate the Montreal Telegraph Company*;" And whereas by the Act passed in the 18th year of the Reign of Her Majesty, intituled, "*An Act to amend the Act incorporating the Montreal Telegraph Company*," the powers of the said Company were extended and certain facilities granted to the said Company, and inasmuch as the operations of the said Company have been beneficial to the province: and the said Company is desirous and willing greatly to extend the facilities for telegraphic intercourse enjoyed by the people of Canada, not only between themselves, but also to afford the means of such communication with Britain, and in order to do so have by their petition prayed, that increased powers may be granted to them; And whereas it is expedient to accede to their prayer and enable them to accomplish the ends sought to be obtained: Therefore, Her Majesty, &c., enacts as follows:

I. The said Company may, in addition to the present lines of the Company and the extensions, continuations and branches thereof, made or to be made in pursuance of the said Acts, establish, construct, purchase, hire, keep in order and work any line or lines of magnetic, electric or other telegraph or means of telegraphic communication in any part of the Province of Canada or places under its jurisdiction or between any two or more points therein, and any island, province, country or place in or near the Continent of America, or in or near the Continent of Europe or in the Atlantic Ocean.

II. The said Company may also establish, construct, purchase, hire, keep in order and work any line or lines of telegraph from or near the City of Quebec, either by land or water, following the bed of the River St. Lawrence or otherwise or by both or either of them, to the most easterly point of the Labrador Coast or to the Island of Belle Isle, and with power and right to touch and land, should a subaqueous and submarine route be adopted or be partly so, for the purposes and uses of the Company, or for the purposes of opening and maintaining stations thereof at all such point or points, place or places in any part of the Province of Canada, or places under its jurisdiction or between any two or more points therein, or between any point or points therein, and any island, province, country or place in or near the Continent of America, or in or

near the Continent of Europe or in the Gulf of St. Lawrence or in the Atlantic Ocean, and with full power and authority to make such connection with the line of any telegraphic company or companies in any portion of the United Kingdom of Great Britain and Ireland, and any such arrangement for working the same as to the said Company or its Directors shall appear fitting. 5

They may maintain their lines along or across high-ways, &c., and take materials from Crown Lands with the consent of Government.

III. The said Company may erect or maintain their said lines of telegraph along the side of or across any public highways, bridges, water course or other such places, provided they do not interfere with the public right of travelling thereon, or may enter upon any lands or places, and survey and set off such parts thereof as may be necessary for the said lines of telegraph, and may take from any part of the ungranted and unoccupied Crown Lands of this Province, having first obtained the consent of the Crown, any posts or building materials necessary to make or repair the lines or any buildings in connection therewith; and in case of 15 disagreement between the Company and any owner or occupier of lands which the Company may take for the purposes aforesaid, or in respect to any damage done to the same by constructing the lines through or upon the same, the Company and such owner or occupier, as the case may be, shall each choose an arbitrator, which two arbitrators shall choose a third, 20 and the decision on the matter in difference of any two of them in writing shall be final; and if the said owner or occupier, or the agent of the said company shall neglect or refuse to choose an arbitrator within four days after notice in writing, and upon proof of personal service to him from the opposite party, or if such two arbitrators when duly chosen shall disagree 25 in the choice of a third arbitrator, in any such case it shall be lawful for the Provincial Secretary, for the time being, to nominate any such arbitrator, or such third arbitrator, as the case may be, who shall possess the same power as if chosen in manner above provided: Provided always, that nothing herein contained shall be construed to confer on the said 30 Company the right of building a bridge over any navigable water.

Proviso not to build bridges over navigable water.

Wires to be imported free.

IV. All wires and materials required for constructing, repairing or working the said Company's main or branch lines of the Atlantic Telegraph, or for connecting them or any of them with any Island, Province or country, shall and may be imported free. 35

Capital stock increased to £500,000.

V. That whereas the stock of the said Company was originally £15,000 current money of Canada, divided into 1500 shares of £10 each and was thereafter by a majority of the stockholders increased to the sum of £70,000 currency, in virtue of the powers conferred by the said Act, and a further increase is necessary, the Capital Stock of the 40 said Company shall be the sum of £500,000, currency, divided into shares of £10 currency each.

Books may be opened in Great Britain, elsewhere, &c.

VI. It shall and may be lawful for the Directors of the said Company for the time being, to open or cause to be opened stock books for the subscription of parties desiring to become shareholders in the capital 45 stock of the said Company in as many and such places in the United Kingdom of Great Britain and Ireland and elsewhere, as they shall think fit, and to make such shares payable in such manner as the Directors shall see fit, and further to issue shares for stock subscribed in England or elsewhere in such amounts respectively of sterling money of Great 50 Britain as to such Directors shall from time to time seem fit, and to make the dividends thereon payable in like sterling money in England

or elsewhere at such place or places as to such Directors shall from time to time seem fit, and from time to time to appoint agents of the said Company in England or elsewhere, and to delegate to such agents such powers as to the Directors of the said Company shall from time to time seem fit, and to make such rules and regulations as to the Directors of said Company shall from time to time seem fit as to the issuing of such shares in England or elsewhere and as to the mode, time, place or places of such transfer of such shares, and as to the mode, time and place of paying the dividends from time to time to accrue thereon and otherwise as shall be deemed requisite or beneficial, for giving full effect to the powers hereby vested in the Directors of the said Company in respect of issuing such shares in England or elsewhere; and it shall also be lawful for the said Directors under a By-law so to be enacted by them, to fix the amount of the shares, in the Capital Stock of the Company at the sums of fifty pounds sterling or currency respectively, and they shall have power to consolidate and convert the present shares into shares of £50 sterling or currency by uniting together such number of shares of £10 currency each, as may be requisite to make a share of £50 sterling or currency respectively at the option of the shareholders.

VII. That the seventh section of the said first mentioned Act shall be and is hereby repealed, and that henceforth, each stockholder shall either personally or by proxy, be entitled to one vote for each share he or she shall have held in his or her own name at least thirty days prior to the time of voting; and the holders of such shares in sterling money shall be entitled to vote thereon according to the number of shares in currency as near as may be, to which such shares would be equivalent omitting all fractions.

7th section of  
10 & 11 Vic.,  
c. 83 repealed.

VIII. That for and notwithstanding anything in the fourth section of the said first mentioned Act contained and without prejudice to any of its remedial or other provisions, if any person shall wilfully or maliciously obstruct or damage any such telegraphic line of the Company, or works, buildings, machinery or other property connected therewith, he shall be guilty of misdemeanour, and shall be punished by imprisonment for a period not exceeding one year, and by a fine not exceeding two hundred pounds.

Penalty for  
damages to  
Telegraph.

IX. This Act shall be a public Act.

Public Act.