

No. 154.

4th Session, 8th Parliament, 29 Victoria, 1865.

BILL.

**An Act to Incorporate the Windsor and
Sandwich Street Railway Company.**

Received and read, first time, Tuesday, 22nd
August, 1865.

Second reading, Wednesday, 23rd August,
1865.

Mr. RANKIN.

QUEBEC :
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URSULE STREET.

An Act to incorporate the Windsor and Sandwich Street Railway Company.

WHEREAS the persons hereinafter named have by their petition, Preamble.
prayed that they may be incorporated under the title of the
Windsor and Sandwich Street Railway Company, for the purpose of
constructing and operating a Street Railway from the Town of Sand-
5 wick through the Town of Windsor to the Hamlet of Walkerville, in
Sandwich East ; And whereas it is expedient to grant the prayer of
the petitioners ; Therefore, Her Majesty, by and with the advice and
consent of the Legislative Council and Assembly of Canada, enacts as
follows :—

10 **1.** Hiram Walker, Gilbert McMicken, Samuel Smith Macdonell, Company
George Fellers, James McKee, Charles Baby and Arthur Rankin, and incorporated.
such other person as shall become shareholders of the said company,
are hereby constituted a body corporate and politic, for the purposes
herein mentioned by the name of the "Windsor and Sandwich Street
15 Railway Company."

2. The capital stock of the company shall be one hundred thousand Capital stock
dollars, in shares of five dollars each.

3. The company may commence operations and exercise the powers When com-
hereby granted so soon as twenty thousand dollars of the capital stock pany may
20 shall be subscribed, and twenty per cent. thereon paid up. commence
operations.

4. The company are hereby authorized and empowered to construct, Line of rail-
complete, maintain, and from time to time remove and change a double way.
or single track iron railway with the necessary side tracts, switches,
turn-outs and other appliances for the passage of cars, carriages and
25 other vehicles adapted to the same upon and along Sandwich-street,
from the Court House within the Town of Sandwich, through the Town
of Windsor to the Hamlet of Walkerville, and to take, transport and
carry passengers upon the said railway, and to construct and main-
tain all necessary works, buildings and conveniences therewith con-
30 nected,

5. The company shall have full power and authority to use and ac- Power to
occupy the streets or highways known as Sandwich-street and being the occupy cer-
travelled highway leading from Sandwich to Walkerville, or such part tain streets
thereof, as may be required for the purpose of their railway track and and highways
35 the laying of the rails and the running of their cars and carriages ;
Provided always that the consent of the several municipalities respec-
tively, through which the said railway passes shall be first had and ob-
tained, who are hereby respectively authorized to grant permission to
the said company to construct their railway as aforesaid within their Provide : con-
40 respective limits, across and along and to use and occupy the said sent of muni-
streets or highways, or any part thereof, for that purpose, upon such icipalities
interested.

conditions and for such period or periods as may be respectively agreed upon between the company and the municipalities aforesaid, or any of them; and also subject to an agreement to be made with the Sandwich and Windsor Gravel Road Company for the use of that portion of the 5 said highway at present under their control.

How rails are
to be laid.

6. The rails of the railway shall be laid flush with the street and highway and the railway track shall conform to the grades of the same so as to offer the least possible impediment to the ordinary traffic of the said streets and highways; and the gauge shall be such that the ordinary 10 vehicles now in use may travel on the said tracks, which it shall and may be lawful for them to do, provided they do not interfere with or impede the running of the cars of the company, and in all cases any carriage or vehicle coming in the opposite direction to the cars shall be required to turn off the tracks. 15

Board of di-
rectors.

7. The affairs of the company shall be under the control of and shall be managed and conducted by a Board of Directors of not less than three nor more than seven, each of whom shall be a stockholder to an amount of not less than one hundred dollars and shall be elected on the first Monday of December of any year at the office of the company, and 20 all such elections shall be by ballot, by a plurality of the votes of the stockholders present, each share to have one vote, and stockholders not personally attending may vote by proxy and the directors so chosen shall, as soon as may be, elect one of their number as president, which president and directors shall continue in office one year, and until others shall be 25 chosen to fill their places; and if any vacancy shall at any time happen in the office of the president or directors, the remaining directors shall supply such vacancy for the remainder of the year.

First direc-
tors.

8. Hiram Walker, Gilbert McMicken, Samuel Smith Macdonell, George Fellers, James McKee, Charles Biby and Arthur Rankin 30 shall be the first directors of the company, and may elect from amongst themselves the first president thereof, and shall severally hold their offices until the first Monday of December next after the company go into operation.

Directors may
make by-laws

9. The directors of the company shall have full power and authority 35 to make, amend, repeal and re-enact all such by-laws, rules, resolutions and regulations as shall appear to them proper and necessary touching the well-ordering of the company; the number of directors; the acquirement, management and disposition of its stock, property and effects, 40 and of its affairs and business; the entering into arrangements and contracts with the said municipalities and the said "Sandwich and Windsor Gravel Road Company;" the declaration and payment of dividends out of the profits of the said company, the form and issuing of stock certificates and the transfer of shares; the calling of special and general 45 meetings of the company; the appointment, removal and remuneration of all officers, agents, clerks, workmen and servants of the company; the fares to be received from persons transported over the railway or or any part thereof, and in general to do all things that may be necessary to carry out the objects and the exercise of any powers incident to the company. 50

Stock to be
personal
estate.

10. The stock of the company shall be deemed personal estate, and shall be transferable in such way as the directors shall by by-law direct.

11. If the election of directors be not made on the day appointed by this Act, the company shall not for that reason be dissolved, but the stockholders may hold the election on any other day in the manner provided for by any by-law passed for that purpose; and all acts of 5 directors until their successors are elected shall be valid and binding upon the company.

12. The company may purchase, lease, hold or acquire and transfer Real estate. any real or personal estate necessary for carrying on the operations of the company.

13. The directors of the company may from time to time, raise or Power to borrow a limited sum. borrow, for the purposes of the company, any sum or sums not exceeding in the whole fifty thousand dollars, by the issue of bonds or debentures in sums of not less than one hundred dollars, on such terms and credit as they think proper and may pledge or mortgage all the property, 15 tolls and income of the company or any part thereof, for the repayment of the moneys so raised or borrowed and the interest thereon; Provided always that the consent of three-fourths in value of the stock holders of the company shall be first had and obtained at a special meeting to be called and held for that purpose.

14. The municipalities of the Towns of Sandwich and Windsor and of the Townships of Sandwich East and Sandwich West and the said company are respectively hereby authorized to make and enter into any agreement or covenants relating to the construction of the said railway, and of the works connected therewith, and the running of the 25 cars, subject to the restrictions contained in this Act, within their respective limits; to pass any by-law or by-laws, and when all parties concur, to amend, repeal or re-enact the same for the purpose of carrying into effect any such agreements or covenants, and containing all necessary clauses, provisions, rules and regulations for the conduct of all 30 parties concerned, and for enjoining obedience thereto, and for regulating the traffic and conduct of all persons travelling upon the streets and highways through which the said railway may pass; Provided always that no such by-law or by-laws shall infringe upon the privileges granted to the said company by this Act. Municipalities interested empowered to treat with company.

15. The "Windsor and Sandwich Street Railway Company" are Power to acquire right of way. hereby authorized to enter into an agreement with the "Sandwich and Windsor Gravel Road Company," on such terms and conditions as may be agreed upon between the said companies for permission to lay a single Railway track with the necessary side tracks, switches, turn-outs and 40 other appliances for the passage of cars upon and along that part of Sandwich street or the highway leading from Sandwich to Windsor under its control; or to acquire wholly the ownership of the said Gravel Road; and in the event of the said Street Railway Company acquiring the ownership of the road, they shall have all the powers and privileges 45 and be subject to all liabilities of the original Road Company.

16. No shareholder of the said company shall be liable under this Act for any default or obligation whatever of the company, or for any engagement, claim, payment, loss, damage, transaction, matter or thing soever, relating or attaching to the said company, beyond the amount 50 of his share in the capital stock of the said company, Liability of shareholders limited.

17. This Act shall be void unless one mile at the least of the said Railway be constructed and put in use, within four years from the passing of this Act. Period within which work must be begun.

18. This Act shall be deemed a Public Act.

Public Act.