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No. 145.

5th Session, 8th Parliament, 63 Victoria, 19

BILL.

An Act to incorporate the Toronto and
Georgian Bay Short Line Railway
Company.

First reading, May 2, 1900.

(PRIVATE BILL.)

MR. BRITTON.

OTTAWA
Printed by S. E. DAWSON
Printer to the Queen's most Excellent Majesty
1900

An Act to incorporate the Toronto and Georgian Bay Short Line Railway Company.

WHEREAS a petition has been presented praying that it be 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 Commons of Canada, declares and enacts as follows:—

Preamble.

1. Albert E. Kemp, Walter E. H. Massey, Joseph W. Flavelle, Alfred E. Ames, Robert Kilgour and William Christie, of the city of Toronto, in the county of York, together with such persons as become shareholders in the company, are incorporated under the name of the "Toronto and Georgian Bay Short Line Railway Company," hereinafter called "the Company."

Incorporation.

Corporate name.

2. The undertaking and works of the Company are declared to be for the general advantage of Canada.

Declaratory.

3. The persons named in section 1 of this Act are constituted provisional directors of the Company.

Provisional directors.

4. The capital stock of the Company shall be five million dollars and may be called up by the directors, from time to time, as they deem necessary, but no one call shall exceed ten per cent on the shares subscribed.

Capital stock.

5. The head office of the Company shall be at the city of Toronto, in the county of York.

Head office.

6. The annual meeting of the shareholders shall be held on the first Wednesday in October in each year.

Annual meeting.

7. At such meeting the subscribers for the capital stock assembled who have paid all calls due on their shares shall choose not more than eleven and not less than seven persons to be directors of the Company, each of whom shall hold at least fifty shares of the capital stock of the Company, and one or more of whom may be paid directors.

Election of directors.

8. The Company may lay out, construct and operate single or double lines of railway or tramway, or both, of any gauge, worked by steam, electricity or other motive power, from a point on Lake Ontario in or near the city of Toronto, to a point on Nottawasaga or Georgian Bay on Lake Huron and adjacent to or extending through the townships of York, Vaughan and

Line of railway described.

King in the county of York and the townships of Tecumseth, West Gwillimbury, Essa, Sunnidale, Nottawasaga, Vespra, Flos and Tiny in the county of Simcoe.

- 9.** The Company may,—
- (a)** construct, acquire, lease and dispose of piers, wharfs, docks, storehouses, elevators and tramways in connection with its railway, and may charge tolls or rates for the use of the said wharfs, elevators and storehouses, and pledge or hypothecate the revenue thereof for the payment of the interest upon the bonds issued in respect of each thereof; 5
- (b)** construct and operate telegraph and telephone lines along the route of the railway to be used in connection with its railway, wharfs and docks; 10
- (c)** construct, acquire, charter and dispose of steam and other vessels, and operate and use the same in connection with its railway for the purpose of carrying freight and passengers to ports on the navigable waters of Canada and the United States, and charge tolls or rates for passengers or freight carried on board such vessels; 15
- (d)** construct, acquire, maintain and use ways, roads, tramways, ferries, docks, dockyards, piers, wharfs, slips, bridges, viaducts, flumes, ditches, elevators and warehouses in connection with its undertaking and all other buildings, works and facilities for the proper handling and care of freight and passengers as the directors from time to time determine; 20
- (e)** locate, lease, acquire, work and sell mines, minerals and mining rights, timber and timber lands and the produce thereof, and develop such mines, and crush, smelt, reduce, amalgamate and dispose of the ores and produce of any mines; 25
- (f)** acquire and dispose of any rights in letters patent, franchises or patent rights for the purposes of the work and undertaking hereby authorized; 30
- (g)** acquire lands, use and manage works and manufacture machinery and plant for the generation, transmission and distribution of electric and other power and energy; 35
- (h)** acquire and utilize water and steam power for the purpose of pressing ore or generating electricity for lighting, heating or motor purposes, and may sell or lease any surplus power which the Company may develop or acquire either as water power or by converting the same into electricity or other force for the distribution of light, heat or power or for all purposes for which electricity can be used, with power to transmit the same; 40
- (i)** build and maintain power houses and stations for the development of electrical and other force and energy; 45
- (j)** acquire, build and maintain stores and trading posts, and carry on a general trading, lumbering, milling, transportation and forwarding business; 50
- (k)** acquire lands and construct and acquire buildings and other erections for the purpose of supplying water for the use of its works, railways and branches, and sell or otherwise dispose of the surplus water produced from any of the works of the Company and not required for the undertaking. 50
- 10.** The Company may construct and maintain a telegraph line and telephone lines along the whole length of its railway 55

Telegraph and telephone lines.

and branches and may establish offices for the transmission of messages for the public, and collect tolls for so doing, and, for the purpose of erecting and working such telegraph and telephone lines, the Company may enter into a contract with any other company, or may lease the Company's lines, and may connect its lines with the lines of any telegraph or telephone companies for the purposes of its business.

2. The Company may enter into arrangements with any telegraph or telephone company for the exchange and transmission of messages or for the working in whole or in part of the lines of the Company. Arrangements with telegraph and telephone companies.

3. No rates or charges shall be demanded or taken for the transmission of any message by telegraph or telephone, or for leasing or using the telegraph or telephones of the Company, until such rates or charges shall have been approved of by the Governor in Council. Rates to be approved.

4. *The Electric Telegraph Companies Act* shall apply to the telegraphic business of the Company. R.S.C., c. 132.

11. The Company may issue bonds, debentures or other securities to the extent of forty thousand dollars per mile of its railway [and to the extent of two-thirds of the cost of such wharfs, docks, elevators, telegraph and telephone lines, steamships and other assets and property,] 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 [or in proportion to the cost of such wharfs, docks, piers, elevators, telegraph and telephone lines, steamships and other assets and property constructed or purchased or under contract to be constructed or purchased.] Bond issue limited.

12. The Company may receive, in aid of the construction of its railway or any of its wharfs, docks, elevators, telegraph or telephone lines, steamships or other property, from any Government, person or municipal corporation having power to grant the same, any lands, grants of money or debentures or other benefit of any kind and may develop and improve such lands. Aid to Company.

13. The Company may enter into agreements with the Grand Trunk Railway Company of Canada, the Canadian Pacific Railway Company, The Toronto and Hudson Bay Railway Company [and any other railway company] or the Government of Canada, or any of them, for conveying or leasing to such company or Government 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, material, machinery and other property to it belonging, or for an amalgamation with any of the said companies [and for obtaining running powers and other rights over any parts of the railways of any of the said companies and for making traffic arrangements therewith] upon such terms and conditions as may be agreed upon and subject to such restrictions as to the directors seem fit, [or to connect with and enter into running arrangements over any and all railways situate within a distance of three miles from any portion of the said railway;] provided that each such agreement has been first approved by Agreements with other companies.

Approval of shareholders and Governor in Council. two-thirds of the votes at a special general meeting of the shareholders duly called for the purpose of considering it, at which meeting shareholders representing at least two-thirds in value of the stock are present or represented by proxy and that each such agreement has also received the sanction of the Governor in Council. 5

Notice of application for sanction. 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. 10

Agreement to be filed with Secretary of State. 3. A duplicate of each 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. 15

Issue of paid up stock. 14. The directors may make and issue as paid up stock shares in the Company whether subscribed for or not, and may allot and hand over such stock in payment for right of way, plant, rolling stock, docks, elevators, wharfs, telegraph and telephone lines, steamboats, vessels and other property or material of any kind whatsoever and also for the services of contractors and engineers, and such issue and allotment of stock shall be binding on the Company, and such stock shall not be assessable for calls. 20 25

R.S.C., c. 118. 15. *The Companies Clauses Act* shall not apply to the Company. 30