

## Technical and Bibliographic Notes / Notes techniques et bibliographiques

The Institute has attempted to obtain the best original copy available for filming. Features of this copy which may be bibliographically unique, which may alter any of the images in the reproduction, or which may significantly change the usual method of filming are checked below.

- Coloured covers / Couverture de couleur
- Covers damaged / Couverture endommagée
- Covers restored and/or laminated / Couverture restaurée et/ou pelliculée
- Cover title missing / Le titre de couverture manque
- Coloured maps / Cartes géographiques en couleur
- Coloured ink (i.e. other than blue or black) / Encre de couleur (i.e. autre que bleue ou noire)
- Coloured plates and/or illustrations / Planches et/ou illustrations en couleur
- Bound with other material / Relié avec d'autres documents
- Only edition available / Seule édition disponible
- Tight binding may cause shadows or distortion along interior margin / La reliure serrée peut causer de l'ombre ou de la distorsion le long de la marge intérieure.
- Blank leaves added during restorations may appear within the text. Whenever possible, these have been omitted from filming / Il se peut que certaines pages blanches ajoutées lors d'une restauration apparaissent dans le texte, mais, lorsque cela était possible, ces pages n'ont pas été filmées.
- Additional comments / Commentaires supplémentaires: **Cover title page is bound in as last page in book but filmed as first page on fiche.**

L'Institut a microfilmé le meilleur exemplaire qu'il lui a été possible de se procurer. Les détails de cet exemplaire qui sont peut-être uniques du point de vue bibliographique, qui peuvent modifier une image reproduite, ou qui peuvent exiger une modification dans la méthode normale de filmage sont indiqués ci-dessous.

- Coloured pages / Pages de couleur
- Pages damaged / Pages endommagées
- Pages restored and/or laminated / Pages restaurées et/ou pelliculées
- Pages discoloured, stained or foxed / Pages décolorées, tachetées ou piquées
- Pages detached / Pages détachées
- Showthrough / Transparence
- Quality of print varies / Qualité inégale de l'impression
- Includes supplementary material / Comprend du matériel supplémentaire
- Pages wholly or partially obscured by errata slips, tissues, etc., have been refilmed to ensure the best possible image / Les pages totalement ou partiellement obscurcies par un feuillet d'errata, une pelure, etc., ont été filmées à nouveau de façon à obtenir la meilleure image possible.
- Opposing pages with varying colouration or discolourations are filmed twice to ensure the best possible image / Les pages s'opposant ayant des colorations variables ou des décolorations sont filmées deux fois afin d'obtenir la meilleure image possible.

This item is filmed at the reduction ratio checked below /  
Ce document est filmé au taux de réduction indiqué ci-dessous.

<b>10x</b>		<b>14x</b>		<b>18x</b>		<b>22x</b>		<b>26x</b>		<b>30x</b>	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<b>12x</b>		<b>16x</b>		<b>20x</b>		<b>24x</b>		<b>28x</b>		<b>32x</b>

100

No. 102.

---

---

1st Session, 2nd Parliament, 36 Victoria, 1873.

---

---

BILL.

An Act to incorporate the Great Western  
and Lake Ontario Shore Junction Rail-  
way Company.

---

PRIVATE BILL.

---

Hon. Mr. CARLING.

---

OTTAWA :

Printed by I. B. Taylor, Nos. 29, 31 and 33 Rideau Street,

1873.

An Act to incorporate The Great Western and Lake Ontario Shore Junction Railway Company.

**W**HEREAS it is highly desirable that a railway should be made from some point on the Great Western Railway at or near the town of St. Catherines to the village of Queenston, on the Niagara river, and that the company constructing the same should have power to extend their railway beyond the Province of Ontario, and to provide facilities at stations, and otherwise, at or near the town of Lewiston, in the United States of America, for the purpose of forming connections with railways in the said United States, and the persons hereinafter mentioned having petitioned to be incorporated for that purpose, it is expedient to grant a charter for the construction of such railway; Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The Honorable William McMaster, Senator; Donald McInnes, of the city of Hamilton, Esquire; The Honorable John Carling, of the city of London; Joseph Price, of the city of Hamilton, Esquire; William McGiverin, of the same place, Esquire; William Ker Muir, of the same place, Esquire; Adam Brown, of the same place, Esquire; and Samuel Barker, of the same place, Esquire; together with such persons and corporations as shall, under the provisions of this Act, become shareholders in the company hereby incorporated, are hereby constituted and declared to be a body corporate and politic, by the name of The Great Western and Lake Ontario Shore Junction Railway Company.

2. The said company hereby incorporated shall have full power under this Act to construct a railway from such point on the line of the Great Western Railway as may be found most eligible, and as near the town of St. Catherines as may be deemed desirable, to some point at or near the village of Queenston, on the Niagara river, with full power to pass over any portion of the country between the points aforesaid.

3. All the provisions of the Act of the Parliament of the former Province of Upper Canada, passed in the fourth year of His late Majesty King William the Fourth, and intituled "An Act to incorporate the London and Gore Railroad Company," and the Acts of the Parliament of the former Province of Canada, and of the Parliament of the Dominion of Canada, reviving, extending and amending the same, or relating to the company thereby incorporated, and now called "The Great Western Railway Company," which shall be in force at the time of the passing of this Act, and shall not be inconsistent with this Act, or provide for matters not provided for by this Act, shall be and are hereby incorporated with this Act,

and they only with this Act shall extend and apply to the company hereby constituted and the railway which they are empowered to make, and shall so apply as fully and effectually as if the said provisions were herein repeated and re-enacted with respect to the said company and the said railway; and all the provisions of the said Acts which are so incorporated with this Act shall be intended and included by the expression "this Act," whenever it is used herein, but in so far only as the provisions of said Acts, or any parts thereof, respectively may be construed to have reference to any act, deed, matter or thing, to be done, executed, fulfilled or performed within the limits of the Province of Ontario.

**Capital stock.** 4. The capital stock of the said company shall be three hundred thousand dollars, divided into three thousand shares of one hundred dollars each. 15

**Provisional board of directors.** 5. The Honorable William McMaster, Donald McInnes, the Honorable John Carling, Joseph Price, William McGiverin, Wm. Ker Muir, Adam Brown, and Samuel Barker, shall be and are hereby constituted the Board of Provisional Directors of the said company, and shall hold office until the first election of Directors under this Act, and shall have power and authority immediately after the passing of this Act to open stock books and procure subscriptions of stock for the undertaking, giving at least four weeks' previous notice, by advertisement in the *Canada Gazette*, of the time and place of their meeting to receive subscriptions of stock; and the said Provisional Directors may cause surveys and plans to be made and executed, and acquire any plans and surveys existing, and it shall be their duty, as hereinafter provided, to call a general meeting of shareholders for the election of Directors. 20 25

**Subscription of stock.** 6. No subscription of stock in the capital of the said Company shall be legal or valid unless ten per centum shall have been actually and *bonâ fide* paid thereon, within five days after subscription, into one or more of the chartered banks of Canada, to be designated by the said Directors, and such ten per centum shall not be withdrawn from such bank, or otherwise applied, except for the purposes of such railway, or upon the dissolution of the company from any cause whatever; and the said Directors, or a majority of them, may, in their discretion, exclude any persons from subscribing, who, in their judgment, would hinder, delay or prevent the said company from proceeding with and completing their undertaking under the provisions of this Act; and if more than the whole stock shall have been subscribed, the said Provisional Directors shall allocate and apportion it amongst the subscribers, as they shall deem most advantageous and conducive to the furtherance of the undertaking; and in such allocation the said Directors may, in their discretion, exclude any one or more of the said subscribers, if in their judgment this will best secure the building of the said railway. 30 35 40 45

**First meeting of shareholders.** 7. So soon as fifty thousand dollars of the said capital stock shall have been subscribed as aforesaid, and ten per cent. *bonâ fide* paid thereon, and deposited in one or more of the chartered banks of Canada, for the purposes of the company, the hereinbefore mentioned Directors, or a majority of them, shall call a meeting of the shareholders of the said company, at such time and place as they may think proper, giving at least two weeks' notice in the *Canada Gazette*, at which meeting the shareholders shall elect 50 55

nine Directors from the shareholders possessing the qualifications hereinafter mentioned, which Directors shall hold office until the next annual meeting of the shareholders as hereinafter provided.

5 8. The annual general meeting of the shareholders for the elec- Annual  
tion of Directors, and other general purposes, shall be held at the general,  
city of Hamilton, or elsewhere within the Province of Ontario, meeting  
as may be appointed by by-law, on the first Wednesday in the  
month of June in each year, and two weeks previous notice thereof  
10 shall be given by publication, as provided in the last preceding  
section.

9. No person shall be elected a Director of the said company Qualification  
unless he shall be the holder and owner of at least five shares in of directors.  
the stock of the said company, and shall have paid up all calls  
15 made thereon.

10. No call to be made at any time upon the said capital stock Calls.  
shall exceed ten per centum on the subscribed capital.

11. All deeds and conveyances to the company of lands required Form of con-  
by them may be in the form given in Schedule A annexed, or to veyance of  
20 the like effect, and shall be sufficient conveyance thereof to the land.  
company, their successors and assigns, and sufficient bar of dower  
of all persons executing the same, and all Registrars are required Registration.  
to and shall register the same in the same manner and upon such  
proof of execution as is required under the registry laws of the  
25 Province of Ontario; and no Registrar shall be entitled to demand  
or receive more than seventy-five cents for registering the same,  
including all entries and certificates thereof, and certificates en-  
dorsed on the duplicate thereof.

12. The Directors of the said company, after the sanction of Directors may  
30 the shareholders shall have been first obtained, at any special gen- issue bonds..  
eral meeting to be called from time to time for such purpose, shall  
have power to issue bonds made and signed by the President or  
Vice-President of the said company, and countersigned by the  
Secretary, and under the seal of the said company, for the purpose  
35 of raising money for prosecuting the said undertaking; and such  
bonds shall, without registration or formal conveyance, be taken Effect of  
and considered to be the first and preferential claims and charges bonds.  
upon the undertaking and the property of the company, real and  
personal, then existing, and at any time thereafter acquired; and  
40 each holder of the said bonds shall be deemed to be a mortgagee  
and incumbrancer *pro rata* with all the other holders thereof upon  
the undertaking and property of the company aforesaid: Provided Proviso.  
also, that the whole amount of such issue of bonds shall not  
exceed in all the sum of three hundred thousand dollars: Provided,  
45 however, that the bonds to be issued prior to the completion of  
the railway shall not at any one time be in excess of the amount  
actually expended in surveys, purchase of right of way, and works Proviso.  
or construction and equipment upon the line of the said railway,  
or material actually purchased, paid for and delivered to the com-  
50 pany within the Province of Ontario or Québec.

13. All such bonds, debentures, and other securities, and coupons Bonds and  
and interest warrants thereon respectively, may be made payable debentures  
to bearer and transferable by delivery, and any holders of any such how payable.  
so made payable to bearer may sue at law thereon in his own  
55 name.

Purchase of  
lands

14. Whenever it shall be necessary for the purpose of procuring sufficient lands for stations, or gravel or ballast pits, or other purposes for constructing, maintaining or using the said railway, and in case, by taking the whole of any lot or parcel of land over which the railway is to run, or any part of which may be required for any of the purposes aforesaid, the company can obtain the same at a more reasonable price, or to greater advantage than by taking or purchasing the part thereof only, the company may take, purchase, hold, use and enjoy such lands, and also the right of way thereto, if the same be separated from their railway, and may sell and convey the same or parts thereof from time to time as they may deem expedient.

Agreements  
may be made  
with Bridge  
companies.

15. The company may agree for the loan of its credit, by direct guarantee or traffic contract or otherwise, to and with the Queenston Suspension Bridge Company, or to and with that company and any other company combining to build a bridge over the Niagara river, or to and with any corporation that may be formed by the amalgamation of such companies, and to and with any other such bridge company or companies, and may enter into any agreement with the said bridge company and any other such company or amalgamated company as aforesaid, and with any other bridge companies for leasing or hiring from them, or any of them, any bridge across the Niagara river, or part thereof, or the use thereof, and generally to make any agreement with any such company or companies touching the use by one or the other or others of the railway or bridge or moveable property of either or both, or any part thereof, or touching the service to be rendered by the one company to the other, and the compensation therefor; and any such agreement shall be valid and binding, and shall be enforced by courts of law according to the terms and tenor thereof.

Company may  
extend its  
operations  
beyond  
Canada.

16. The company shall have power to use its funds, by way of loan or otherwise, in laying its rails out of the Dominion of Canada, in providing facilities at stations, or otherwise, in the United States of America, for its traffic, and for making connections and promoting its traffic with the railways therein.

Arrangements  
with other  
companies.

17. It shall be lawful for the said company to enter into any agreement with any other railway company in the Dominion of Canada for leasing the said railway, or any part thereof, or the use thereof at any time or times, or for any period, to such other company, or for leasing or hiring from such other company any railway or part thereof, or the use thereof, or for the leasing or hiring any locomotives, tenders, or moveable property, and generally to make any agreement or agreements with any such other company touching the use by one or the other, or by both companies, of the railway or moveable property of either, or of both, or any part thereof, or touching any service to be rendered by the one company to the other, and the compensation therefor; or such other railway company may agree for the loan of its credit to, or may subscribe to and become the owner of the stock of the railway company hereby created, in like manner and with like rights as individuals; and any such agreement shall be valid and binding, and shall be enforced by courts of law according to the terms and tenor thereof; and any company or individual accepting and executing such lease shall be and is empowered to exercise all the rights and privileges in the charter conferred.

18. It shall be lawful for the corporation of any municipality through any part of which the railway of the said company passes or is situate, by by-law specially passed for that purpose, to exempt the said company and its property within such municipality, either in whole or in part, from municipal assessment or taxation, or to agree to a certain sum per annum, or otherwise, in gross or by way of commutation or composition for payment, or in lieu of all or any municipal rates or assessments to be imposed by such municipal corporation, and for such term of 10 years as such municipal corporation may deem expedient; and such by-law shall be effectual for the purpose, and during the period therein mentioned, and shall not be repealed during such period.

Aid from  
Municipalities  
by exemption  
from taxation.

19. The company shall have power to become parties to promissory notes and bills of exchange for sums not less than one hundred dollars; and any such promissory note made and endorsed, and such bill of exchange drawn, accepted or endorsed by the President or Vice-President of the company, and countersigned by the Secretary and Treasurer, and under the authority of a majority of a quorum of the Directors, shall be binding on the company; and every such promissory note or bill of exchange made, drawn, accepted or endorsed by the President or Vice-President of the said company, and countersigned by the Secretary and Treasurer, as such, shall be presumed to have been properly made, drawn, accepted or endorsed, as the case may be, for the company, until the contrary be shown; and, in no case shall it be necessary to have the seal of the company affixed to any such bill of exchange or promissory note; nor shall the President, Vice-President, or Secretary and Treasurer of the company so making, drawing, accepting or endorsing any such promissory note or bill of exchange be thereby subjected individually to any liability whatever; Provided always that nothing in this section shall be construed to authorize the said company to issue any note payable to bearer, or any promissory note intended to be circulated as money, or as the notes of a bank.

Company may  
become parties  
to promissory  
notes.

20. The railway shall be commenced within three years, and completed within five years after the passing of this Act.

21. The said railway hereby authorized to be constructed is hereby declared to be a work for the general advantage of Canada.

Termination.  
Declaration.

#### SCHEDULE A.

Know all men by these presents, that I, \_\_\_\_\_ of \_\_\_\_\_ hereby, in consideration of \_\_\_\_\_ dollar paid to me by the Great Western and Lake Ontario Shore Junction Railway Company, the receipt whereof I hereby acknowledge, do grant and confirm to the said company, its successors and assigns for ever, all that certain parcel of land situate

for the purpose of their railway, and I, \_\_\_\_\_ the wife of the said \_\_\_\_\_ do hereby release my dower on the said lands.

As witness \_\_\_\_\_ hand and seal this \_\_\_\_\_ day of \_\_\_\_\_ one thousand eight hundred and seventy-\_\_\_\_\_.

Signed, sealed and delivered  
in the presence of \_\_\_\_\_