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4th Session, 8th Parliament, 29th Vic, 1865

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**BILL**

An Act to incorporate the "Ottawa City  
Passenger Railway Company."

*(PRIVATE BILL)*

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Received and read first time, Thursday,  
17th August, 1865.

Second reading, Friday, 18th August, 1865.

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Mr. CURRIER.

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**QUEBEC:**

PRINTED BY HUNTER, ROSE & CO., ST.  
URSULE STREET

An Act to incorporate the "Ottawa City Passenger Railway Company."

**W**HEREAS certain persons have by their petitions prayed that they may be incorporated under the title of the Ottawa City Passenger Railway Company, for the purpose of conducting and operating street railways in the City of Ottawa and the municipalities adjoining thereto, 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

Preamble.

**1** Joseph Aumond, Joseph M Currier, William McNaughton, Henry Starnes, Henry Hogan, Edward McGillivray, William G. Perley, John Pratt, Joshua Smith, J. M. T. Hannum, and such other persons as shall hereafter become shareholders of the said Company are hereby constituted a body corporate and politic, under the name of the Ottawa City Railway Company

Incorporation of company.

**2** The capital stock of the Company shall be one hundred thousand dollars in shares of twenty dollars each.

Capital

**3** The company may commence operations and exercise the power hereby granted as soon as thirty thousand dollars of the capital stock shall be subscribed and twenty per cent thereon paid up. But the said company shall commence the construction of the said railway within two years from the passing of this Act, and that portion thereof lying within the city limits shall be completed within five years from the passing of this Act.

When company may commence.

**4** The company are hereby authorized and empowered to construct, maintain, complete and from time to time remove and change a double or single iron railway with the necessary side tracks, switches and turn outs for the passage of cars, carriages and other vehicles adapted to the same upon and along the following streets in the said City of Ottawa and the municipalities adjoining thereto, viz., from the east end of Ottawa Street in New Edinburgh thence along Ottawa Street to the road leading across Green Island thence along said road to Metcalf Street in the said city, thence along Metcalf Street to Sussex Street, along Sussex to Rideau Street, along Rideau to Sparks Street, along Sparks Street to Metcalfe Street, along Metcalf to Wellington Street, along Wellington to George Street, along George to Duke Street, along Duke Street to the Suspension Bridge, and from thence along the travelled highway to Aymer, in the County of Ottawa, and along and upon such other streets within the said city and the municipalities adjoining the said city or any of them as they may be authorised to pass along, under any subsequent agreement between the said company and the corporations of the said city and of the adjoining municipalities or any of them, and any by-laws of the said corporations or any of them made in pursuance thereof, and to

Company may construct and work a street railway by animal power

May use certain streets subject to by-law on the subject

take transport and carry passengers and freight upon the same, by the power and force of animals, and to construct and maintain all necessary works, buildings and conveniences therewith connected and to use and occupy any of the streets or highways and bridges aforesaid, and such as they may hereafter obtain the right from any of the said corporations to use as may be required for the purpose of their railway track and the laying of their rails and the running of their cars and carriages

**5** The rails of the railway shall be laid flush with the streets and highways, 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 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 on the track shall give place to the cars by turning off the track

**6.** The affairs of the company shall be under the control of and shall be managed and conducted by a Board to consist of seven directors each of whom shall be a stockholder to an amount of not less than \$500, and shall be elected on the first Tuesday of September of every year at the office of the company, and all such elections shall be by ballot by 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 to be president, and directors shall continue in office one year and until others shall be chosen to fill their places, and if any vacancy shall at any time occur in the office of President or directors, the remaining directors shall fill up such vacancy for the remainder of the year.

**7** Joseph Aumond, Joseph M Cunnier, William McNaughton, Henry Starnes, and William G Perley, shall be the first Directors of the Company, and shall severally hold their offices till the first Tuesday of September next, after the company goes into operation.

**8** The Directors of the Company shall have power and authority 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 and of its affairs, and business, the entering into arrangements and contracts with the said city or adjoining municipalities, the declaration and payment of dividends out of the profits of the said company, the form and issuing of stock certificates, the calling of special and general 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 for passengers and freight transported over the railway, or any part thereof, the intervals of time in running each car, the time within which, in each day the cars shall be run, the speed of running the same, and in general to do all that may be necessary to carry out the objects, and exercise the powers incident to the company.

**9.** The said company in the construction of the said railway track, shall conform to the grades of the various streets through which the said track shall run, and shall not in any way change or alter the same

**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 Stock to be personal estate

**11** The company may purchase, lease, hold, acquire and transfer all real and personal estate, necessary for carrying on the operations of the company Company may acquire real estate

**12** 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 the acts of directors, until their successors shall be elected, shall be valid and binding in the company. Failure of election not to dissolve the company

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

**14.** The said city and the adjoining municipalities, and the corporation of the Village of Hull, in the County of Ottawa, are respectively authorized to make and to enter into any agreement or covenants relating to the macadamizing, repairing and grading the streets or highway, and the construction, opening and repairing of drains or sewers, and the laying of gas and water pipes in the streets and highways, to be traversed by the said railway, the non-obstructing or impeding of the ordinary traffic, and also to the construction and equipment of the said railway, along and upon any other streets, and along any other routes than the one herein described. The city and adjoining municipalities may agree with the company as to certain matters

**15.** The said City and the said Municipalities are hereby authorized to pass any By-law or By-laws, and to amend or repeal 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 parties concerned, relating thereto, and for the enjoining obedience thereto, and also for the facilitating the running of the Company's cars, and for regulating the traffic and conduct of all persons travelling upon the streets and highways through which the said railway may pass. City and municipalities may pass by-laws for giving effect to such agreement.

**16.** This Act shall be deemed a public Act.

Public Act.