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No. 315.

(PRIVATE BILL.)

1st Session, 4th Parliament, 16 Victoria, 1853.

BILL.

An Act to incorporate *The Quebec
Bridge Company.*

Received and Read a first time, Wednesday,
23rd March, 1853.

Second Reading, Thursday, 24th March, 1853.

MR. STUART.

QUEBEC:

695.

1852-3.]

BILL.

[No. 315.]

An Act to incorporate *The Quebec Bridge Company.*

WHEREAS the construction of a Railway Bridge over the River St. Lawrence, at or in the immediate vicinity of the City of Quebec, which should be open on fair terms to the use of all the Railways running to or through the said City, would be of the greatest advantage to the people of this Province, and is essential to the well working and success of the various Railways in progress throughout the length and breadth thereof; And whereas the Honorable Narcisse F. Belleau, the Honorable Henry Black, and Ulric J. Tessier, Gustave Joly, Angus McDonald, Michael Scott, George Okill Stuart, Weston Hunt, F. X. Paradis, G. H. Simard and François Evanturel, Esquires, of the said City of Quebec, have petitioned that they may be incorporated, and authorized to construct such Bridge; Be it therefore enacted, &c.,

Preamble.

That the said Honorable N. F. Belleau, Honorable H. Black and U. J. Tessier, Gustave Joly, A. McDonald, Michael Scott, G. O. Stuart, Weston Hunt, F. X. Paradis, G. H. Simard and F. Evanturel, Esquires, together with such person or persons as shall, under the provisions of this Act, become proprietors of any Share or Shares in the Bridge hereby authorized to be constructed, and their several and respective heirs, executors, administrators, curators and assigns, being proprietors of any Share or Shares in the said Bridge, shall be a Company according to the Rules, Orders and Directions hereinafter expressed, and shall for that purpose be one Body Politic and Corporate, by the style and title of "*The Quebec Bridge Company*," and the said Company shall be and are hereby authorized and empowered, by themselves, their deputies, agents, officers, workmen and servants, to make, construct and complete a Railway Bridge to be called and known as "*The Quebec Bridge*," across the River St. Lawrence, from some point at, in or above the City of Quebec, to some point opposite or above the said City on the South Shore of the River St. Lawrence, and to construct on either side of said River St. Lawrence and within the said City, such Branch Railways, wharves, embankments, piers, Stations, inclined planes and other works of any kind as may be necessary for the convenient using of the said Bridge, or for connecting it with any Railway coming to or within the said City or its environs on both sides of said River St. Lawrence, or for the safety and protection of the said Bridge or Works; Provided always that the centre of the said Bridge shall not be less than 160 feet above high water, and that the said Bridge shall not impede the navigation of said River St. Lawrence.

Certain persons incorporated.

Corporate name and powers.

Proviso.

II. And be it enacted, That the said Company shall have full power and authority to purchase acquire, take and hold such lands, lands covered with water, beaches and other property, as may be necessary for the

Power to take lands &c.

Compensation
how fixed.

purpose of constructing the said Bridge and the other works hereinbefore or hereinafter authorized, or for the convenient using of the same, or for any other purpose authorized by this Act; Provided always, that the said Company shall give a just and reasonable compensation or indemnity for such lands, lands covered with water, beaches and other property to the proprietors thereof, such compensation or indemnity, in case of disagreement between the said Company and such Proprietors, to be determined by the Superior Court, upon examination and evaluation made by *experts* appointed by the parties respectively, or in default of such appointment, by *experts* appointed by the said Court, in the manner and form prescribed by law; and the said Court is hereby authorized and shall have power to regulate and determine the amount of such compensation or indemnity; Provided always, that no property vested in the Crown shall be taken without the permission of the Governor, and that no indemnity shall be payable for any property taken with such permission.

Proviso.

Company may
construct the
Bridge for the
passage of
ordinary
vehicles, and
take tolls.

III. And be it enacted, That it shall be lawful for the said Company, if they shall think proper, so to construct the said Bridge as to adopt it to the passage of ordinary vehicles, animals, and passengers, and to connect it with the main road on either side of the said River, by ordinary roads to be made by the said Company; and it shall be lawful for the said Company to demand and receive tolls upon ordinary vehicles, animals and passengers passing over the said Bridge; and such tolls shall be payable before the vehicles, animals or passengers, in respect or of which they shall be payable, shall be entitled to pass over the said Bridge, such tolls to be from time to time fixed by the Directors of the said Company.

Other Com-
panies may
connect their
Railways
with the
Bridge with
the consent of
the Company
constructing
it.

IV. And be it enacted, That it shall be lawful for any Railway Company, whose Railway comes to or within the said City of Quebec or its environs, with the consent of the Directors of the Company constructing the said Bridge, to connect such Railway with the said Bridge or with some Branch Railway made under the authority of this Act and leading to the said Bridge, and to cause their engines and carriages to pass with their freight and passengers over and along the said Bridge and Branch Railway or either of them, and to discharge and receive passengers and freight at any station or depôt of the Company constructing the said Bridge, and for the said last mentioned Company to allow the Company first mentioned so to do upon such terms and conditions as the Directors of the two Companies shall agree upon, and if the gauge of the Railway of any two or more Companies be different, then the Company constructing the said Bridge, may so arrange the lines of rails thereon, and upon the branch line leading thereto from the Railway of any such other Company, as that the engines and carriages of such other Company may easily pass over the said Bridge, and along the said branch, and into and out of any such station or depôt as aforesaid; and the terms and conditions to be so agreed upon, may extend to the payment by the other Company to the Company constructing the Bridge of a fixed sum once for all, or of an annual sum, or of sums payable from time to time and proportioned to the number of carriages or passengers, or the quantity of freight conveyed over the said Bridge, and the services performed or accommodation afforded in respect thereof for such other Company: Provided always, that it shall also be law-

Companies
may make
agreements
as to services
to be perform-
ed by one for
the other.

Proviso.

1697.

ful for the Directors of the Company constructing the said Bridge to agree with the Directors of such other Company as aforesaid, that either Company shall perform any other service for the other Company upon such terms and conditions as the Directors of the two Companies shall agree upon; and any agreement made by the Directors of any two Companies under this section, shall be binding upon such Companies during the time for which it shall be made, but it shall not be compulsory on the Directors of any Company to make or renew any agreement under this section.

10 V. And be it enacted, That the Capital Stock of the said Company constructing the said Bridge shall not exceed the sum of eight hundred thousand pounds currency, to be divided into 32,000 shares of £25 each. which amount shall be raised by the persons and parties above named, or some of them, together with such other persons and corporations as may become subscribers towards such stock, such shares to be deemed personal estate, and to be transferred as such; and the persons hereinbefore named or any of them may open books of subscription for such Shares, and any person who or whose Attorney shall write his name in such books shall thereby become a Shareholder, and entitled to all the rights of a Shareholder, and be bound to pay to the Company the sum for which he shall have subscribed.

VI. And be it enacted, That within after the passing of this Act, a General Meeting of the Shareholders shall be held in the City of Quebec, for the purpose of putting this Act into effect, which meeting shall be called by the persons herein named and incorporated, or any or more of them, ten days public notice thereof being given, by being published in one French and one English newspaper of the said City, at which said General Meeting the Shareholders present, ten having paid ten per cent. on their stock subscribed, shall, either by person or by proxy, choose nine Directors, who shall hold office until following; Provided always, that the Heads of Municipalities subscribing for stock may vote on such stock at the said first Meeting, or in their absence, such person or persons as may be duly authorized under the seal of the Municipality, and such Municipalities so voting shall vote according to the scale of votes hereinafter mentioned, and in the same manner as individual Shareholders.

VII. And be it enacted, That on in each year, at Quebec, at the office of the Company, there shall be chosen by the Shareholders nine Directors, and public notice of such Annual Election shall be published one month before the day of the election in the "Canada Gazette," and in one French and one English newspaper of the said City, and all elections for Directors shall be by ballot, and the persons who shall have the greatest number of votes at any election shall be Directors; and if it shall happen that two or more shall an equal number of votes, the Shareholders shall determine the election by another or other votes until a choice is made, and if a vacancy shall at any time happen among the Directors by death, resignation or removal from the Province, such vacancy shall be filled for the remainder of the year by a majority of the Directors; and the said nine Directors shall form the Board of Directors.

- Quorum.** VIII. And be it enacted, That five Directors shall form a *Quorum* for the transaction of business.
- Qualification of Directors.** IX. And be it enacted, That the persons qualified to be Directors of the said Company under this Act, shall be any Shareholder holding stock to the amount of £150, who shall have paid up all calls on such stock. 5
- Instalments on Shares, how payable.** X. And be it enacted, That it shall and may be lawful for the Directors to call upon the Shareholders for the second and all subsequent instalments upon each share which they or any of them may have subscribed for, payable by such instalments, and at such times and in such proportion as the Directors of the said Company may see fit, so as no such 10 instalment shall exceed ten per cent and so as the last instalment shall be payable months after the commencing of said Bridge, each instalment being payable at regular periods.
- Proportion of votes to Shares.** XI. And be it enacted, That each Shareholder, in his own right, shall be entitled to a number of votes equal to the number of shares 15 which he shall have in his name two weeks prior to the time of voting ;
Proviso. Provided that no one Shareholder or Municipality as aforesaid shall have more than 500 votes, and no Shareholder or Municipality as aforesaid shall vote at such elections as aforesaid, unless such Shareholder or Municipality shall have paid up all calls on said stock. 20
- Company may be parties to Promissory Notes, &c., and how.** XII. And be it enacted, That the said Company constructing the Bridge may become parties to Promissory Notes and Bills of Exchange for sums not less than ; and any such Promissory Note made and endorsed, and any such Bill of Exchange drawn, accepted 25 or endorsed by the President of the Company, or Vice-President, and countersigned by the Secretary and Treasurer, and under the authority of a majority of a *Quorum* of Directors, shall be binding upon the said Company, and every such Promissory Note or Bill of Exchange so made, drawn, accepted or endorsed after the passing of this Act, shall be presumed to have been properly made, drawn, accepted or endorsed, as the 30 case may be, until the contrary be shewn ; 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 or the Vice-President, Secretary or Treasurer of the Company so making, drawing, accepting or endorsing any such Promissory Note or Bill of Exchange be 35 hereby subjected individually to any liability whatever ; but nothing herein contained shall authorize the Company to issue Notes payable to bearer or to be used as Bank Notes, or in any way to act as Bankers.
- Not to act as Bankers.**
- Company may raise money by loan.** XIII. And be it enacted, That it shall be lawful for the said Company constructing the said Bridge to raise the said Capital Stock partly by 40 loan, and for that purpose to issue Debentures of the said Company ; and it shall be lawful for the Directors of any Railway Company, on behalf thereof, to subscribe for and hold shares of the said Capital Stock of the Company constructing the said Bridge, and to authorize any person or persons to vote upon such stock at meetings of the Shareholders of such 45 last named Company ; and it shall also be lawful for the Directors of such other Company to lend money to the Company constructing the said Bridge, or guarantee the payment of the principal or interest or both of any Debentures to be issued under this Act by such last mentioned
- Other Rail-way Companies may subscribe or lend money to the Com-**

1699.

Company, and to construct any branch Railway or other work which may be necessary for conveniently connecting the Railway of such other Company with the said Bridge, or for enabling such other Company fully to avail itself of the provisions of this Act, and to increase the
 5 Capital Stock of such other Company by such sum as may be necessary to pay any sum which shall become payable by such Company under the provisions of this Act, and such increase may be made either by subscription for new Stock by the then Shareholders of such Company, or by the admission of new Subscribers, or in both ways, or it shall be law-
 10 ful for the Directors of such Company to raise such sum partly by such additional Stock and partly by loan, and for that purpose to issue Debentures of such Company.

pany, make
Branch Rail-
way &c.

XIV. And be it enacted, That the Company authorized to construct the Bridge mentioned in this Act, shall commence the same within *three*
 15 yaers from the passing of this Act, and complete the same for the passage of Railway carriages and engines within *six* years from the same time, otherwise the privileges granted to them by this Act shall cease.

Bridge to be
commenced
and com-
pleted within
certain
periods.

XV. And be it enacted, That this Act shall be a Public Act.

Public Act.