



No. 17.

---

---

4th Session, 1st Parliament, 34 Victoria, 1871.

---

---

BILL.

An Act to incorporate the Ontario and  
Quebec Railway Company.

---

---

PRIVATE BILL.

MR. CRAWFORD, (Leeds.)

---

OTTAWA:

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

1871.

An Act to Incorporate the Ontario and Quebec Railway Company.

**W**HEREAS, the persons hereinafter named and others, have Preamble.  
 petitioned for incorporation as a Company to construct a  
 Railway from Toronto to Ottawa, passing through or near Peter-  
 boro', Madoc, and Carleton Place, with power to cross the Ottawa  
 5 River, at or near Ottawa City, and to unite, amalgamate, or make  
 running arrangements with Railway lines in the Provinces of  
 Ontario and Quebec, and whereas, the construction of such a  
 Railway would be of great public advantage, by affording facilities  
 for the settlement of the back country, bringing to market the  
 10 productions thereof, and forming, through the Capital of the  
 Dominion, a most valuable line of communication for National  
 Defence, and is a work for the general advantage of Canada, and it  
 is for the reasons aforesaid, expedient to grant the prayer of the  
 petitioners: therefore Her Majesty, by and with the advice of  
 15 the Senate and House of Commons of Canada, enact, as follows:—

1. Henry John Hubertus, and Harry Abbott, Esquires; the Persons  
 Honorable James Skead; the Honorable Malcolm Cameron; and the incorporated  
 Honorable Billa Flint; Joseph Merrill Currier, M.P.; Alonzo  
 Wright, M.P.; Peregrine Maitland Grover, M.P.; George Kempt,  
 20 M.P.; James Noxon Lapum, M.P.; and Edmund D— O'Flynn,  
 Esquires, with all such other persons and corporations as shall become  
 shareholders in the Company, hereby incorporated, shall be, and  
 are hereby constituted a body corporate and politic by the name  
 of the "Ontario and Quebec Railway Company," and shall have all Corporate  
 25 the powers incident to railway corporations in general, and the name.  
 powers and privileges conferred on such corporations by *The Rail-  
 way Act, 1868.* subject, however, to the provisions hereinafter  
 contained.

2. The said Company and their agents and servants may lay Power to con-  
 30 out, construct, and finish a double or single iron Railway, of such struct a line of  
 width or gauge as the Company see fit, from the City of Toronto,  
 in the Province of Ontario, through or near Peterboro', Madoc,  
 and Carleton Place, to the City of Ottawa, and across the Ottawa  
 River at or near Ottawa City, into the Province of Quebec, to  
 35 effect a junction with Railways in that Province, and to unite,  
 amalgamate and make running arrangements with Railway lines  
 in the Province of Ontario, situated upon the line hereby  
 authorized to be constructed, or crossing the same.

3. The Railway Bridge, to be built under the authority of this Railway  
 40 Act, across the Ottawa River, shall or may be used by any other bridge to be  
 Railway Company on such terms as may be mutually agreed on, used by any  
 and in the event of dispute the terms shall be settled by arbitra- Railway Co.  
 tion, each disputing party to select an arbitrator, and the two so by arrange-  
 chosen to select a third, a majority of whom shall decide. Should ment.  
 45 either disputing party, after ten days' demand in writing, neglect  
 or refuse to appoint an arbitrator, then upon application to the

Judge of the County Court of the County of Carleton, accompanied by an affidavit of an officer of the Company, that the opposite party so refuses to appoint an arbitrator the Judge shall appoint an arbitrator for the party so refusing.

Capital Stock  
and Shares;  
and how to be  
applied.

4. The Capital Stock of the said Company shall not exceed, in the whole, the sum of one million two hundred and fifty thousand dollars, to be divided in twelve thousand five hundred shares, of one hundred dollars each, which amount shall be raised by the persons hereinbefore named, and such other persons and Corporations as may become shareholders in the said Stock; and the money so raised shall be applied, in the first place, to the payment of all fees, expenses, and disbursements for the procuring the passing of this Act, and for making the surveys, plans, and estimates connected with the Railway; and all the rest and remainder of such money shall be applied towards making, completing, and maintaining the said Railway, and other purposes of this Act.

Company may  
take grants.

5. It shall be lawful for the said Company to receive, either by grant from Government, or from any private individuals or corporations, as aid in the construction of the said Railway, any vacant lands in the vicinity thereof, or any other real or personal property, or any sums of money, either as gifts, or in payment of stock, and legally to dispose of the same and alienate the lands or other real or personal property for the purposes of the said Company, in carrying out the provisions of this Act.

Provisional  
Directors.

6. Henry John Hubertus, and Harry Abbott, Esquires; the Honorable James Skead; the Honorable Malcolm Cameron; and the Honorable Billa Flint; Joseph Merrill Currier, M.P.; Alonzo Wright M.P.; Peregrine Maitland Grover, M.P.; George Kempt, M.P.; James Noxon Lapum, M.P. and Edmund D— O'Flynn, Esquires, shall be, and are hereby constituted, a Board of Directors of the said Company, and shall hold office as such until other Directors shall be appointed, under the provisions of this Act, by the shareholders, and shall have power and authority to fill vacancies occurring therein, to associate with themselves therein not more than three other persons, who shall thereupon become and be Directors of the Company equally with themselves, to open Stock Books and procure subscriptions for the undertaking, to make calls upon subscribers, to cause surveys and plans to be made and executed, to call a general meeting of Shareholders for the election of other Directors as hereinafter provided, and generally to do all such other acts as such Board under the Railway Act may lawfully do.

Their powers.

The said Directors are hereby empowered to take all necessary steps for opening the Stock Books for the subscription of parties desirous of becoming Shareholders in the said Company, and all parties subscribing to the capital stock of the said Company, shall be considered proprietors and partners in the same.

Subscriptions  
for Stock.

7. When and so soon as one-tenth part of the said capital stock shall have been subscribed, as aforesaid, and one-tenth of the amount so subscribed paid in, the said Directors, or a majority of them, may call a meeting of Shareholders at such time and place as they shall think proper, giving at least two weeks' notice in one or more newspapers published at Ottawa, Peterboro, and Toronto, at which said general meeting, and at the annual general meetings in the following sections mentioned, the Shareholders

present, either in person or by proxy, shall elect seven Directors in the manner and qualified as hereinafter provided, which said Directors shall constitute a Board of Directors, and shall hold office till the first Tuesday in September, in the year following 5 their election.

8. On the said first Tuesday in September in each year thereafter, at the principal office of the said Company, there shall be held a <sup>General Meet-</sup>ing, a general meeting of the Shareholders of the Company, at which meeting the said Shareholders shall elect a like number of not less 10 than five nor more than seven Directors for the then ensuing year, in the manner and qualified as hereinafter provided: and public notice of such annual meeting and election shall be published one month before the day of the election, in one or more newspapers in Ottawa, Peterboro', and Toronto, and the election for Directors 15 shall be by ballot, and the persons so elected, shall form the Board of Directors.

9. A majority of the Directors shall form a quorum for the <sup>Quorum of</sup> transaction of business, and the said Board of Directors may employ one or more of their number as paid Director or Directors, 20 provided however that no person shall be elected a Director unless he shall be the holder and owner of at least ten shares of the said Company and shall have paid up all calls upon the stock.

10. The Directors may at any time call upon the Shareholders <sup>Calls on</sup> for instalments upon each share which they, or any of them, may <sup>Shares.</sup> hold in the capital stock of the said Company, in such proportion as they may see fit, no such instalment exceeding ten per cent., and the Directors shall give one month's notice of such call, in such manner as they may appoint.

11. The said Company shall have power and authority to be- <sup>Company may</sup> come parties to Promissory Notes and Bills of Exchange, for sums <sup>become par-</sup> not less than one hundred dollars, and any such Promissory Note <sup>ties to notes,</sup> made or endorsed by the President or Vice-President of the Com- <sup>&c.</sup> pany, and countersigned by the Secretary and Treasurer of the said Company, and under the authority of a majority of a quorum of 35 the Directors, shall be binding on the said Company; and every such Promissory Note or Bill of Exchange so made, shall be presumed to have been made with proper authority until the contrary be shewn, and in no case shall it be necessary to have the seal of the said Company affixed to such Promissory Note or Bill 40 of Exchange, nor shall the said President, or Vice-President, or the Secretary and Treasurer, be individually responsible for the same, unless the said Promissory Notes or Bills of Exchange have been <sup>Provido.</sup> issued without the sanction and authority of the Board of Directors as herein provided and enacted; provided, however, that nothing 45 in this section shall be construed to authorise the said Company to issue Notes or Bills of Exchange payable to bearer, or intended to be circulated as money or as the notes or bills of a bank.

12. The Directors of the said Company, are hereby authorized <sup>Power to</sup> and empowered to issue bonds or debentures, which shall be and <sup>issue Bonds or</sup> form a first charge on the undertaking, lands, buildings, tolls, and <sup>Debentures.</sup> income of the company, or any, either, or all of them, as may be expressed by the said bonds or debentures; and such bonds or debentures shall be in such form, and for such amount, and payable at such times and places as the Directors from time to time may 55 appoint and direct. The said bonds or debentures shall be signed

by the President or Vice-President; and shall have the corporate seal of the Company affixed thereto, provided that the amount of such bonds or debentures shall not exceed fifteen thousand dollars per mile, to be issued in proportion to the length of railway under contract or to be constructed under and by virtue of this Charter. 5

Arrangement for branches. 13. The Directors of the said Company, elected by the Shareholders, in accordance with the provisions of this Act, shall have power and authority to enter into and conclude any arrangements with any other Chartered Railway Company, for the purpose of making any branch or branches to facilitate a connection between this Company and such other Chartered Railway Company. 10

Company authorized to purchase. 14. The said Company are also authorized and empowered to contract and agree with any incorporated Railway Company for the purchase or transfer, by deed of assignment, of their line of railway or undertaking, with the appurtenances and privileges thereto, belonging or in any manner appertaining thereto; and the Company, hereby incorporated, may assign, transfer, or lease their railway or any part thereof, or any rights or powers acquired under this Act, and the surveys, plans, work, plant, stock, machinery, or other effects belonging thereto, to any other incorporated Company, person, or persons, or Corporations, upon such terms and conditions, and with such restrictions as the Directors may deem expedient. 20

Company authorized to transfer. 15. The stock and debentures of the said Company issued under the authority of this Act shall be free and exempt from taxation. 25

Exemption from taxation. 16. Any shareholder in the said Company, whether a British subject or alien, or a resident of Canada or elsewhere, has and shall have equal rights to hold stock in the said Company, and to vote on the same and to be eligible to office in the said Company. 30

Aliens may vote, etc. 17. Any deed of conveyance of land to the said Company may be in the form of Schedule A to this Act annexed, and may be enregistered at full length upon the affidavit of one of the witnesses to the execution thereof, made before the officers usually authorized to receive the same, and a deed in such form, or in words of like import, shall be a legal and valid conveyance of the land and immovables therein mentioned to all intents and purposes, and the registration thereof shall be of the same effect as if such deed were executed before a notary. 35

Form of conveyance to Companies. 18. The powers given by this Act shall be exercised by the commencement of the said railway, within three years after the passing of the Act, and its completion, within eight years therefrom. 40

Limitation of clause. 19. This Act shall be known and cited as the "Ontario and Quebec Railway Act." 45

Title. 19. This Act shall be known and cited as the "Ontario and Quebec Railway Act." 45

#### SCHEDULE A.

#### *Form of Deed of Sale.*

Know all men by these presents, that I, A. B., in consideration of paid to me by the Ontario and Quebec Railway Company, the receipt whereof is hereby acknowledged, grant, bargain, sell, and convey unto the said Ontario and Quebec Railway Company, their successors and assigns, all that tract or parcel of land 50

