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No. 109.

5th Session, 8th Parliament, 63 Victoria, 1900

BILL.

**An Act to incorporate the Manitoulin
and North Shore Railway Company.**

First reading, March 23, 1900.

(PRIVATE BILL.)

MR. DYMENT.

OTTAWA

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

An Act to incorporate the Manitoulin and North Shore
Railway Company.

WHEREAS a petition has been presented praying that it be Preamble.
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
5 of Commons of Canada, enacts as follows:—

1. John McKay of the town of Sault Ste. Marie in the dis- Incorpora-
trict of Algoma, James Cleland of the town of Meaford in the tion.
county of Grey, Thomas John Ryan of the town of Sudbury in
the district of Nipissing, Thomas Chapman Sims of the town
10 of Little Current in the district of Manitoulin, Alexander
Grant Mackay of the town of Owen Sound in the county of
Grey, Robert Adam Lyon, William Howard Hearst and
William Brown of the town of Sault Ste. Marie in the district
of Algoma, together with such persons as become shareholders
15 in the company, are hereby incorporated under the name of
“The Manitoulin and North Shore Railway Company,” here- Corporate
inafter called “the Company.” name.

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

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

4. The head office of the Company shall be in the town of Head office.
25 Sault Ste. Marie, in the district of Algoma, in the Province of
Ontario [or in such other place in Canada as is fixed by by-
law].

5. The annual meeting of the shareholders shall be held on Annual
the third Wednesday in September in each year. meeting.

6. At such meeting the subscribers for the capital stock Election of
30 assembled, who have paid all calls due on their shares, shall directors.
choose not less than five nor more than twelve persons to be
directors of the Company, one or more of whom may be paid
directors.

2. No person other than a shareholder eligible to vote may Proxies.
85 vote or act as a proxy at any meeting of the Company.

Line of
railway
described.

7. The Company may lay out, construct and operate a railway of the gauge of four feet eight and one-half inches from a point in or near the town of Little Current, in the district of Manitoulin, in the Province of Ontario, thence northerly and easterly a distance of one hundred miles, crossing the main line of the Canadian Pacific Railway Company at or near Onaping or Cartier Stations, and also from a point in or near the township of Drury or Hyman on its said line of railway, thence easterly to the town of Sudbury, in the district of Nipissing, and also from a point at or near the said town of Little Current, thence south-easterly to a suitable point on the south shore of Manitoulin Island or Fitzwilliam Island and from a point near Tobermoray, in the county of Bruce, thence south and easterly to the town of Meaford, in the county of Grey, passing through or near the towns of Warton and Owen Sound.

Powers.
Docks, etc.

8. The Company may, for the purposes of its business,—

(a) erect and maintain docks, dockyards, wharfs, slips and piers at any point on or in connection with its railway, and all the termini thereof, on navigable waters, for the convenience and accommodation of railway ferries and vessels;

Ferries.

(b) acquire and run railway ferries, steam and other vessels for cargo and passengers upon any navigable waters which its railway may connect with;

Electricity.

(c) acquire and utilize water and steam power for the purpose of compressing air or generating electricity for lighting, heating or motor purposes, and may dispose of surplus power generated by the Company's works and not required for the undertaking of the Company.

Telegraph
and telephone
lines.

9. The Company may construct, erect and maintain a telegraph line and telephone lines along the whole length of its railway and branches, and may establish offices for the transmission of messages for the public, and for the purposes of erecting and working such telegraph and telephone lines the Company may enter into a contract with any other company.

Arrangements
with telegraph
and telephone
companies.

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.

Rates to be
approved.

3. No rates or charges shall be demanded or taken from any person 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 have been approved of by the Governor in Council.

R.S.C., c. 132.

4. *The Electric Telegraph Companies Act* shall apply to the telegraphic business of the Company.

Bond issue
limited.

10. The Company may issue bonds, debentures or other securities to the extent of twenty thousand dollars per mile of the railway and branches, 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.

Agreement
with another
company.

11. The Company may enter into an agreement with the Canadian Pacific Railway Company, the Grand Trunk Rail-

way Company of Canada, the Ontario and Sault Ste. Marie Railway Company, or the Sudbury and Wahnapiatae Railway Company, for conveying or leasing to such company the railway of the Company, in whole or in part, or any rights or powers 5 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 such company on such terms and conditions as are agreed upon, and subject to such restrictions as to the directors seem fit; provided that such 10 agreement has been first approved by 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 such agreement has also 15 received the sanction of the Governor in Council.

Approval of shareholders and Governor in Council.

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 20 the counties and districts through which the railway of the Company runs and in which a newspaper is published.

Notice of application for sanction.

3. A duplicate of the 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 25 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.

Agreement to be filed with Secretary of State.

12. If the construction of the railway is not commenced and 30 fifteen per cent on the amount of the capital stock is not expended thereon within two years after the passing of this Act, or if the railway is not finished and put in operation within five years after the passing of this Act, the powers granted by this Act or by *The Railway Act* shall cease and be null and 35 void as respects so much of the railway as then remains uncompleted.

Time for construction limited.