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No. 95.

4th Session, 6th Parliament, 24 Vic., 1861.

BILL.

An Act to amend the Act incorporating the
Windsor Improvement Company.

PRIVATE BILL.

Received and read, first time, Tuesday, 9th
April, 1861.

Second Reading, 10th April, 1861.

MR. McMICKEN.

QUEBEC :

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

An Act to amend the Act incorporating the Windsor Improvement Company.

WHEREAS the Windsor Improvement Company hath prayed for certain amendments to their Charter, and for powers enabling them to undertake works of drainage; and whereas it is desirable to encourage such operations and to grant the prayer of the petition; Therefore Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows :

Preamble.

I. The Capital Stock of the said Company shall be divided into shares of five dollars each, as provided by the second section of the said Act.

Capital Stock Division of.

10 II. The third section of the said Act is hereby amended by striking out the word "adjacent," where it occurs, and substituting the word "near."

Third section of original Act amended

15 III. That the Company shall have all power, liberty and license to contract for, execute and perform, all works of trunk, arterial, surface and subsoil drainage, of sewerage, water supply, the collection and distribution of sewerage and other refuse in Townships, Towns and Villages within the County of Essex, the clearing, reclaiming, fencing, grading, and irrigating of land,—and for such purposes, to construct; erect, work and maintain all houses, homesteads, 20 tileries, kilns, steam engines, water wheels, embankments, sluices, reservoirs and roads, and to do and perform all and singular such other works and things not herein enumerated, as may be needful or convenient for properly and effectually carrying out all or any of the operations hereby authorized to be done.

Powers of the Company for carrying on their business

25 IV. When owners of land, or the authorities of Townships, Towns and Villages within the said County, shall desire to avail themselves of the powers of the Company for the execution of all or any of the works herein authorized to be done, the Company shall, on application from such owners or authorities, proceed to make an inspection of the lands 30 or other places, and to prepare plans, specifications and estimates of the work to be done, and shall submit the same to such owners or authorities for their approval and concurrence, when a contract may be entered into for the due performance of the work, which shall be binding on all parties. The Company may require from such owners or authorities 35 security for payment to the Company of such sum for preliminary expenses as will defray the actual cost thereof, if no contract therefor is entered into; but, if a contract be concluded between the parties, those expenses shall be included in the amount of the contract.

Mode in which Company may contract for work.

Company shall, if required, allow time for payment for work done by it.

V. In all operations undertaken by the Company, it shall be lawful, at the option of the owners of land or authorities of Townships, Towns or Villages, within the said County, for the said Company to extend the payment of the cost of the works over any period to be agreed upon between the parties, not exceeding twenty years, and to receive the same by such yearly, half-yearly, or quarterly instalments, to be also agreed upon, as shall redeem the said total cost and interest within the period prescribed, the said owners or authorities giving to the Company a full and sufficient mortgage, security or rent charge upon the lands improved or the works executed, for the time over which the payment of the instalments extends.

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Power to hold lands and for purposes of Act.

VI. The Company shall have power to acquire, hold by mortgage or otherwise, to improve, sell and convey any land and real estate, and also to hold and sell any personal and moveable property whatsoever, which may be necessary for conducting the several operations of the Company, or as security for the payment of any moneys due to them or which shall comport with the general design of the powers and provisions herein given and made.

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Company may issue Debentures and to what amount.

VII. In consideration of the character of the operations to be undertaken, and the nature of the security upon which the repayment of their cost is based, it shall be lawful for the Company to issue Debentures in sums not less than fifty dollars each, bearing interest at the rate of six per centum per annum, and payable either in this Province or elsewhere, and at such time respectively as shall correspond with the periods over which the repayment of their contracts shall extend, and so that the total amount of such Debentures issued or outstanding at any one time, shall not exceed two-thirds of the entire amount of the cost of the works executed by and in progress of repayment to the Company.

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Total amount limited.

Municipalities may take Stock.

VIII. Inasmuch as the works herein provided are calculated to be of essential benefit to the inhabitants of Townships, Towns and Villages within the said County, it shall be lawful for Municipalities to take and hold shares in the Capital Stock of the Company, to such extent as they may severally duly determine: Provided, that in no case the amount held shall exceed five shares to every one hundred souls of the population.

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Special Meetings of the Company.

IX. The Directors may and are hereby authorized to call at any time or times, as they may think needful, Special Meetings of the Shareholders, at the Office of the Company, or at any other place by adjournment, as may be found more convenient; and at each and all the yearly General Meetings, the Directors shall submit a report of the state of the affairs of the Company, together with a true and correct balance-sheet and account, shewing the amount of Capital paid up, the amount of moneys expended and liabilities, the contracts existing, and other matters requisite to the full understanding of the affairs of the Company, and such Meeting shall declare the amount of dividends to be paid to the Shareholders out of the profits of the Company; and shall transact any business which may be needful.

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Statements of its affairs.

Executors, &c., may vote, but not be elected.

X. At such Meetings it shall be lawful for executors, administrators, tutors, curators, guardians, trustees and municipal authorities, to represent and vote on the shares in their hands, but they shall not be eligible for Directors or for any office under the Company.

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XI. The Company shall furnish the Bureau of Agriculture with a copy of each yearly report and statement of accounts, and shall at all times afford any further information as to the state of the affairs of the Company which may be required by the Legislature or the Government. Company to furnish copies of Statements of Affairs, &c.

5 XII. The Interpretation Act shall apply to this Act, and this Act shall be deemed a Public Act. Public Act.