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No. 106.

21 Victoria, 1st Session, 6th Parliament, 1858.

BILL.

An Act to enable the Grand Trunk Railway Company to erect a Bridge at Sarnia.

PRIVATE BILL.

Received and read 1st time, Tuesday, 27th April, 1858.

Second reading, Thursday, 29th April, 1858.

MR. GALT.

S. Derbishire & G. Desbarats, Queen's Printer.

An Act to authorize the Grand Trunk Railway Company of Canada to construct a Bridge over the River St. Clair at Sarnia.

WHEREAS the Grand Trunk Railway Company of Canada has petitioned for power to build a Railway Bridge over the River St. Clair, from a point in or near the town of Sarnia to some eligible point on the opposite shore, in the State of Michigan, to be called "The Union Railway Bridge," and it is expedient to grant the prayer of the said Petition: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

I. 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 purpose of constructing the said Bridge or for the convenient using of the same, and also for the construction of such Branch Railways as may be necessary to approach the said Bridge,—Provided such Branch Railways do not in any case exceed three miles for each of such Branches.

Preamble.
Company may take land, &c., for such bridge and for branch Railways.

Proviso: as to length of such branches.

II. The said Company shall not commence the said Bridge or any work thereunto appertaining, until they shall have submitted to the Governor in Council, plans of the said Bridge and of all the intended works thereunto appertaining, nor until such plans and the site of the said Bridge shall have been approved by the Governor in Council, and such conditions as he shall have thought fit for the public good to impose touching the said Bridge and Works, shall have been complied with; nor shall any such plan be altered or any deviation therefrom allowed except by the permission of the Governor in Council, and upon such conditions as he shall impose: Provided always, that in the construction of the said Bridge, the said Company shall not cause any obstruction in, or in any way impede the free navigation of the River St. Clair.

Site, plans, &c., must be approved by the Governor in Council before the work is commenced.

Proviso.

III. It shall be lawful for any Railway Company whose Railway comes to the said town of Sarnia, with the consent of the Directors of the Grand Trunk Railway Company of Canada, to connect such Railway with the said Bridge, or with some Branch Railway 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

Certain Railway Companies may agree with the said Company for the right of connecting their Railways with the bridge.

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 guage of the Railways of the two Companies be different, then the Company constructing the said Bridge may (notwithstanding any clause fixing the guage of their Railway) so arrange the lines of Rails thereon, and upon the Branch Line leading thereto from the Railway of the 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 Depot as aforesaid; and the terms and conditions to be so agreed upon may extend to the payment by the other Company to the Grand Trunk Railway Company of Canada, 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 lawful for the Directors of the Grand Trunk Railway Company of Canada, to agree with the Directors of such other Company as aforesaid, that either Company shall receive and convey for the other, passengers and freight between the said Bridge, and any Station or Depot of either Company, and in the carriages of either Company, or 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.

Proviso: the Companies may agree as to certain services to be performed by one Company for the other.

The Company may increase its Capital Stock, borrow money, &c., in order to construct the said bridge and works.

IV. It shall be lawful for the Directors of the Grand Trunk Railway Company of Canada, to increase the Capital Stock of the said Company, by such sum not exceeding the sum of Two Hundred and Fifty Thousand Pounds sterling, as may be requisite for constructing the Bridge and Works hereby authorized, or for enabling them to carry this Act into effect; and such increase may be made either by subscriptions for new stock by the then Shareholders of the Company, or by the admission of new subscribers, or in both ways; and the shares of such additional Stock shall be each of the same amount as the shares of the other Stock of the said Company, and all the provisions of the Act incorporating the said Company shall apply to such additional shares, and to the subscribers for or holders thereof, in so far as may not be inconsistent with the express provisions of this Act; or it shall be lawful for the said Directors to raise the said sum partly by such increase of the Capital Stock of the Company as aforesaid, and partly by loan, and for that purpose to issue Debentures of the said Company, to which all the provisions of the Act incorporating the said Company shall apply, as to the Debentures issued under the authority

thereof : And it shall be lawful for the Directors of any other Railway Company, on behalf thereof, to subscribe for and hold shares of such additional Stock as aforesaid, of the Grand Trunk Railway Company of Canada, and to authorize any person or 5 persons to vote upon such Stock at meetings of the Shareholders of such last named Company, appointing one such person for every hundred shares held by such other Company, and one for any broken number of shares so held less than a hundred ; and it shall also be lawful for the Directors of such other Company 10 to lend money to the Grand Trunk Railway Company of Canada, or to guarantee the payment of the principal or interest or both of any Debentures to be issued under this Act by such last mentioned Company, and to construct any Branch Railway or other work which may be necessary for conveniently connect- 15 ing 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 Capital Stock of such other Company by such sum as may be necessary to defray the costs of any such work, or to pay any sum which shall 20 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 admission of new subscribers, or in both ways, or it shall be lawful for the Directors of such Company to raise 25 such sum partly by such additional Stock and partly by loan, and for that purpose to issue Debentures of such Company ; and to all such Branch Railways and other works to be constructed under this Section by any Company other than the Grand Trunk Railway Company of Canada, and to all shares of the 30 additional Stock of such Company authorized by this Section, and to the subscribers for and holders thereof, and to all Debentures to be issued by such Company, and other the things to be done by or on behalf of the said Company under this Section, the provisions of the Act incorporating such Company, 35 as amended by any subsequent Act, shall apply in so far as they may not be inconsistent with this Act.

Other Rail-
way Compa-
nies may sub-
scribe for
Stock of the
Grand Trunk
Company or
lend money to
it : and may
construct
works for con-
necting their
Railways with
the bridge,
and raise mo-
ney for such
purposes.

V. The Guarantee of this Province shall not be extended to any Loan or Debenture to be raised or issued under the authority of this Act or in respect of the said Bridge or any work to be constructed 40 under this Act ; and neither the privilege and prior claim of Her Majesty on behalf of this Province by reason of the Guarantee of the Province granted or to be granted to the Grand Trunk Railway Company of Canada, or to any other Railway Company, nor any general hypothec or mortgage given by the said 45 Grand Trunk Railway Company of Canada, or by any other Railway Company before the passing of this Act, shall extend to the said Bridge or to any work constructed solely under the authority of this Act, or to the tolls and profits to be derived therefrom, but the same and the shares held by any other 50 Company in the Stock of the Company constructing the said Bridge, may be separately hypothecated, mortgaged or pledged,

Provincial
guarantee and
claim not
to extend to
the said
bridge and
works under
this Act.

and the claim of Her Majesty on behalf of this Province and any such general hypothec or mortgage as aforesaid, shall rank after any special hypothec, mortgage or pledge to be given upon the said Bridge or works or any of them, for securing any sum of money raised or borrowed for the purpose of constructing the said Bridge or any such work as aforesaid. 5

Bridge to be
gin in 3 and
completed in
six years.

VI. The Grand Trunk Railway Company of Canada, shall commence the Bridge mentioned in this Act, within three years from the passing of this Act, and complete the same for the passage of Railway Carriages and Engines within six 10 years from the same time, otherwise the privileges granted to them by this Act shall cease and determine.

Public Act.

VII. This Act shall be deemed a Public Act.