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No. 125.

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3rd Session, 8th Parliament, 61 Victoria, 1898

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BILL.

An Act to incorporate the Ottawa  
Interprovincial Bridge Company.

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First reading, April 28th 1898.

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(PRIVATE BILL.)

Mr. BELCOURT.

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OTTAWA

Printed by S. E. DAWSON

Printer to the Queen's most Excellent Majesty.

1898

An Act to incorporate the Ottawa Interprovincial  
Bridge Company.

WHEREAS the Pontiac Pacific Junction Railway Company, hereinafter called "the Pontiac Company," and the Ottawa and Gatineau Railway Company, formerly known as the Ottawa and Gatineau Valley Railway Company, and hereinafter called "the Gatineau Company," have by their petition represented that the Pontiac Company is empowered by chapter 69 of the statutes of 1882, and by certain other Acts, to construct and operate a bridge for railway and general traffic purposes over the Ottawa River from some point in or near the city of Hull to some point in or near the city of Ottawa, together with all necessary works and approaches in connection therewith; that by an agreement dated the seventeenth day of June one thousand eight hundred and ninety-three made between the Pacific Company and the Gatineau Company, and duly confirmed by section 30 of chapter 87 of the statutes of 1894, the Pontiac Company conveyed one-half of all its franchises, rights, interests, and privileges in, to and upon the said contemplated bridge, with its approaches, terminal grounds and other appurtenances within the limits of the cities of Ottawa and Hull, to the Gatineau Company; also that it was thereby further agreed that the said works and undertaking should be the joint property of the Pontiac Company and the Gatineau Company, and that the said companies should jointly use, exercise and enjoy all the privileges, franchises and powers of the Pontiac Company, or any of them, in respect of the said bridge, approaches and terminal properties; also that it was thereby further agreed that, if it should be deemed more advantageous and expedient so to do, the said companies should jointly apply to Parliament to have the franchises, powers and privileges granted to and enjoyed by the Pontiac Company, in respect of the said proposed bridge, transferred to and vested in a company to be incorporated as in the said agreement mentioned, so that the objects of the said agreement might be more effectually carried out, and for other reasons in the said agreement mentioned: And whereas the said companies have further represented that the Gatineau Company was also empowered by chapter 87 of the statutes of 1894 to construct and operate a bridge for railway and general traffic purposes between the points above mentioned, with the necessary approaches and other works; also that under the powers and franchises conferred upon the Pontiac Company as aforesaid the construction of said bridge and approaches and other works in respect thereof have been duly commenced, and that it has been deemed more advantageous and expedient to

Preamble.

1888, c. 69.

1894, c. 87.  
s. 30.

1894, c. 87.

have the franchises, powers and privileges of the said companies, and each of them, in respect of the said proposed bridge and other works in connection therewith, transferred to and vested in a company to be incorporated by Parliament for that purpose, as in the said agreement mentioned: And whereas the said companies have prayed that it be 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 of Commons of Canada, enacts as follows:—

- 1.** Joseph Rielle, the Honourable J. S. C. Wurtele, Samuel Finley, William Hanson, and Harry G. Beemer, together with such persons as become shareholders in the company, are hereby incorporated under the name of "The Ottawa Interprovincial Bridge Company," hereinafter called "the Company."
- 2.** The head office of the Company shall be in the city of Ottawa in the province of Ontario, or at such other place in Canada as the directors from time to time determine by by-law.
- 3.** The persons named in section 1 of this Act shall be the first or provisional directors of the Company.
- 4.** The capital stock of the Company shall be two hundred and fifty thousand dollars, and may be called up by the directors from time to time as they deem necessary, but no one call shall exceed ten per cent on the shares subscribed.
- 5.** The annual meeting of the shareholders shall be held on the first Wednesday in September in each year.
- 6.** At such meeting the subscribers for the capital stock assembled, who have paid all calls due on their shares, shall choose five persons to be directors of the Company, one or more of whom may be paid directors.
- 7.** The Pontiac Company and the Gatineau Company may, upon such terms as shall be agreed upon, sell and convey to the Company, all the rights, powers, franchises, interests, and privileges of the Pontiac Company and of the Gatineau Company, and of each of them, with respect to the laying out, construction, maintenance and operation of a bridge for railway and other purposes with the necessary approaches, terminal property and appurtenances in connection therewith, over the Ottawa River at or near the city of Ottawa as aforesaid, and now vested in the Pontiac Company and the Gatineau Company, or either of them, under the said Acts, or under the agreement mentioned in the preamble; and the Pontiac Company and the Gatineau Company may sell and convey to the Company, the bridge and approaches already in part constructed, and now in course of construction, under the powers vested in the Pontiac Company and the Gatineau Company, or either of them, from a point upon or near Nepean Point in the city of Ottawa to a point in the city of Hull; and also all bonuses, subsidies, leases, licenses, property and surveys acquired by,

or to which the Pontiac Company and the Gatineau Company, or either of them, are or may become entitled, from any government, person or municipal corporation, in respect of, or in consideration, or upon condition of the construction, maintenance and operation of any such bridge, or upon completion of any such bridge as aforesaid.

8. The Company may pay the consideration for such sale and conveyance either wholly or partly in cash, or wholly or partly in capital stock of the Company wholly or partly paid up, and whether subscribed for or not, or wholly or partly in debentures of the Company, or otherwise as may be agreed upon, and the Pontiac Company and the Gatineau Company, or either of them, may accept payment in any of such forms, and may take, subscribe for, hold and dispose of any such stock or debentures so received in payment.

Consideration of sale.

9. The Company may, after, or as a condition of such purchase or acquirement as aforesaid, undertake, assume, pay, or guarantee any of the obligations, liabilities, contracts or engagements of the Pontiac Company and the Gatineau Company jointly, or either of them, incurred in respect of the said bridge, approaches, terminal property or other works, or of the powers, rights, franchises, bonuses, subsidies, leases, surveys or licenses, and other property and assets aforesaid.

Companies to assume rights and liabilities of Pontiac and Gatineau companies.

2. No such sale or conveyance shall be made by either the Pontiac Company or the Gatineau Company or by the Company, nor shall the same, if so entered into have any effect, unless and until it has been first approved by two-thirds of the votes at a special general meeting of the shareholders of each of such companies duly called for the purpose of considering the same—at which meeting shareholders representing at least two-thirds in value of the stock are present or represented by proxy—and that such sale or conveyance has also received the sanction of the Governor in Council.

Approval of sale by all companies.

Sanction of Governor in Council.

3. 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 published in the city of Ottawa, and in one newspaper published in the city of Hull.

Notice of application for sanction.

10. The Company may, after it has so acquired from the said companies, or either of them, the said franchises, rights, powers, interests, leases, privileges and property, construct, in so far as the same has not then already been constructed, and may maintain and operate a bridge, with the necessary or proper approaches and terminal facilities in the cities of Ottawa and Hull, over the Ottawa river from a point in the city of Ottawa, to a point in the city of Hull, for railway purposes, and may construct and arrange the said bridge for the passage of pedestrians, cars and vehicles, propelled or drawn by any power, and for general traffic purposes, and may lay, and operate tracks on the bridge and approaches, and on its terminal property in the said cities for the passage of railway and other cars, and may charge tolls for the passage of cars, vehicles, pedestrians and general traffic over the

Power to build bridge between Ottawa and Hull.

bridge, approaches and terminal property, or for the use thereof.

Rate of tolls to be approved.

**11.** The rate of tolls to be charged for the passage of pedestrians, cars and vehicles, shall, before being imposed, first be submitted to and approved of, and may from time to time be amended or modified by, the Governor in Council, but the Company may at any time reduce the same, and a notice showing the tolls to be charged shall at all times be posted up in a conspicuous place on the bridge: Provided that in the event of the Company, or the Pontiac Company, receiving the bonus of one hundred and fifty thousand dollars from the city of Ottawa, voted by the city of Ottawa to the Pontiac Company by by-law No. 1458 of the city of Ottawa, then the provisions of the said by-law and of the agreement between the city of Ottawa and the Pontiac Company in reference thereto, dated the fourteenth day of December, one thousand eight hundred and ninety-three, and of by-laws Nos. 1628 and 1707 of the city of Ottawa, with reference to the said bridge being free from tolls for certain classes of traffic, and as to the rates of tolls or terms for the use of the said bridge, shall be binding upon the Company, except in so far as the same may hereafter be amended or modified by agreement with the said city, or under any Act of the legislature of the province of Ontario.

Proviso.

Bonus of city of Ottawa.

Plans of bridge to be approved.

**12.** Except in so far as the provisions of this section have been complied with, the Company shall not commence the construction of the bridge until it has first submitted to the Governor in Council plans thereof, and of all intended works thereunto appertaining, nor until such plans, and the site of the bridge, have been approved of by the Governor in Council and such conditions as he thinks fit for the public good to impose touching the bridge and works have been complied with, nor shall such plans be altered or any deviation therefrom be allowed except by permission of the Governor in Council, and upon such conditions as he shall impose.

Construction of piers.

**13.** The Company may construct such piers, abutments, blocks and erections in the Ottawa River, and in the cities of Ottawa and Hull, as may be deemed necessary not only for the construction of the bridge, but which the Company may require or think desirable to protect it from ice and freshets, or for any other purpose in connection with the bridge; and may build the necessary approaches thereto, in, to and upon the lands, streets, roads and grounds lying and being on either side of the said river situate within the limits of the cities of Ottawa and Hull; and may cut, level, or raise the banks of the said river in such manner as may be deemed necessary or proper for building the bridge; and may cut, remove and carry away every impediment which may in any way tend to hinder the construction of the bridge; and may execute all other things necessary or convenient for constructing, working, maintaining and supporting the bridge.

Alteration of river bank.

Expropriation of lands.

**14.** For the purpose of constructing, maintaining and supporting the bridge the Company may, from time to time,

take, under the provisions of *The Railway Act*, and use all lands reasonably required on either side of the said river in the cities of Ottawa and Hull, and thereon to work up the materials necessary for constructing and repairing the bridge; 5 and may also take, under the provisions of *The Railway Act*, 1888, c. 29. and use all lands in either of the said cities reasonably required for approaches and terminal facilities in connection with the bridge and other works, and the use thereof; first, however, making reasonable compensation for the lands so to 10 be taken or occupied—such compensation to be settled by arbitrators under the provisions of *The Railway Act*.

15 **15.** If any person shall forcibly pass over or upon the bridge, or shall interrupt or disturb the Company or any person employed by it in building, repairing or using the same, such person so offending shall, for every such offence, forfeit a sum not exceeding ten dollars, to be recovered before any justice of the peace, and in default of payment such person may, in the discretion of such justice, be imprisoned in the common gaol for a period not exceeding ten days. Interference with bridge. Penalty.

20 **16.** So soon as the bridge and approaches are completed and ready for traffic, all railways shall have and be entitled to the same and equal rights and privileges in the passage of the bridge and approaches thereto, so that no discrimination or preference in the passage of the bridge and approaches 25 thereto, or in tariff rates of transportation, shall be made in favour of, or against any railway whose business or cars pass over the bridge. Equal rights of passage to all railways.

30 **17.** In case of any disagreement as to the rights of any railway whose trains, business or cars pass over the bridge and approaches thereto, or as to the tariff rates to be charged in respect thereof, the same shall be determined by the Railway Committee of the Privy Council as provided in *The Railway Act*. Disputes to be determined by Railway Committee.

35 **18.** The Company may issue bonds, debentures or other securities to an amount not exceeding one million dollars upon the bridge, approaches, terminal and other property of the Company, or any portion thereof, and such bonds may be secured by a deed of mortgage; and such deed or mortgage may contain provisions that all tolls and revenues derived from 40 the use of the bridge, approaches, terminal property and other works by other corporations or persons shall be specially charged and pledged as security for such bonds, and may also provide that the Company shall pay to the trustees of such mortgage similar rates and tolls to those fixed for the use of 45 the bridge, approaches, terminal property and other works by similar corporations, which rates and tolls shall also be charged as security for such bonds. Bonding powers.

50 **19.** If the Company issues bonds, debentures or other securities, as provided for in the next preceding section, the holders thereof may annually, at a general meeting called and held in the same manner as is prescribed in *The Railway Act* with reference to special general meetings of shareholders, choose Bondholders may choose two directors.

two of their number to be directors of the Company ; and such persons shall be members of the board of directors of the Company in addition to, and with the same rights, as the other directors authorised by this Act or by *The Railway Act* ; but such holders of bonds, debentures or other securities shall incur no liability by the appointment of such directors. 5

Proviso.

Arrangements with other companies, etc.

**20.** The Company may, with the approval of two-thirds of the votes of the shareholders at a special general meeting duly called for the purpose of considering the same, at which meeting shareholders representing at least two-thirds in value of the stock are present or represented by proxy, and after obtaining the sanction of the Governor in Council in the manner provided in section 239 of *The Railway Act*,— 10

Union with other companies to build bridge.

(a.) unite with any other Company incorporated under the laws of Canada, the province of Ontario, or the province of Quebec, or with any corporation, in building the bridge, approaches, terminal property and other works, and in maintaining, working, managing and using the same, and may enter into any agreement with such company or corporation respecting the construction, maintenance, management and use thereof ; 15 20

Agreement with companies, governments, or corporations to lease or sell undertaking.

(b.) enter into an agreement with any such company, or with the Governments of Canada, Ontario, or Quebec, or with any of them jointly, or with the corporations of the city of Ottawa or of the city of Hull, or with them jointly, for the leasing or selling of the bridge, approaches, terminal property and other works to such company, government, or corporation, in whole or in part, or any rights or powers acquired by it, and also the franchises, surveys, plans, works, plant, machinery, and other property to it belonging, or for an amalgamation with such company. 20 30

Issue of paid-up stock.

**21.** The directors may issue as paid up stock any ordinary stock of the Company, and may allot and pay the same for right of way, plant, rolling stock, or materials of any kind, and also for services of contractors, engineers and other persons, whether directors of the Company or otherwise, who may have been, are, or may be engaged in and about the prosecution of the works hereby authorised. Provided that no such stock shall be allotted to any director of the Company until a resolution authorising the issue thereof shall have been passed and confirmed at a meeting of the shareholders of the Company. 35 40

Proviso.

Allotment of paid-up stock to Pontiac and Gatineau companies.

**22.** The directors of the Company may issue paid up and unassessable shares of the capital stock of the Company, whether subscribed for or not, and whether paid up or not, in payment for the said franchises, powers, privileges, bridge, approaches, works, bonuses, subsidies, licenses, surveys, property and assets, and may allot and hand over such shares to the Pontiac Company and the Gatineau Company or either of them, or to their shareholders respectively, as may be agreed upon, and such issue and allotment of stock shall be binding on the Company, and such stock shall not be assessable for calls. 45 50



**23.** *The Railway Act* shall apply to the Company and its 1888, c. 29.  
undertaking.

**24.** The bridge and approaches shall be completed within Time for  
construction  
limited.  
five years after the passing of this Act, otherwise the powers  
5 granted to the Company for such construction shall cease and  
be null and void as respects so much thereof as then remains  
uncompleted.