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No. 101.

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1st Session, 2nd Parliament, 36 Victoria, 1873.

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**BILL.**

An Act to enable the Great Western Railway Company to further extend and improve its connections.

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**PRIVATE BILL.**

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**HON. MR. CARLING.**

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**OTTAWA :**

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

1873.

An Act to enable the Great Western Railway Company to further extend and improve its connections.

**W**HEREAS the Great Western Railway Company, hereinafter styled the company, have petitioned that they should be enabled to aid in the construction of certain works which will tend to improve their connections, and for further extension of their powers; And whereas it is expedient to grant them the powers which they have asked by their petition; Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

Preamble.

1. Subject to the priority of the loan capital, as settled and secured by the sixth section of "*The Great Western Railway Company's Financial Act, 1871*," and the amount of terminable bonds or perpetual debenture stock now issued, or which may be issued on the basis of capital to be raised by the said Act, the company may agree for the loan of its credit by direct guarantee or traffic contract or otherwise, to and with the Canada and Detroit River Bridge Company, and to and with the Queenston Suspension Bridge Company and the Lewiston Suspension Bridge Company, or the corporations which may be created by the amalgamation of either of such companies with any other bridge companies, and to and with any other company or companies having a bridge or bridges or having power to construct a bridge or bridges over the Niagara river or the Detroit river, or may agree as and for the purposes aforesaid, to and with any other railroad or railway company with which, by the acts of incorporation of the company, or of the acts relating to the company, it has power and authority to unite, or, upon behalf of which power and authority has been conferred to use its funds by way of loan or otherwise, and may enter into traffic arrangements and agreements with any such railway, railroad or bridge company for the working, leasing or using the railway, railroad or bridge thereof, or part thereof, for and during such term of years as may be agreed upon between them.

Company may loan its credit, subject to certain restrictions.

2. The company may take, hold and become the owners of stock or shares, or avail itself of any of the rights or powers given or reserved to the company or to any railway or railroad company, in the Canada and Detroit River Bridge Company, the Queenston Suspension Bridge Company, the Great Western and Lake Ontario Shore Junction Railway Company, or in any company with which the company has power to unite by any acts relating to the company, or by any acts of the late Province of Canada, or of the present session of the Parliament of Canada.

May take stock in other companies.

3. The company shall have power to guarantee for the loan of its credit to, or become guarantors for, or may subscribe to or become the owners of stock in any railway company with the

Agreements with other railway companies.

line of which their line may be in connection, or any railway company over the line of which they may now have or hereafter may make arrangements or agreements for running or working powers or the conveyance of traffic.

Arrangements for use of line and rolling stock of other railways.

4. The company may enter into traffic arrangements or agreements with any other railway company or companies for the hiring, leasing, working or using the lines of railway of such other railway company or companies, or any parts thereof, at any time or times, or for any period, or for the leasing or hiring any locomotives, tenders, or moveable property, and generally to make any agreement or agreements with any such other company touching the use by one or the other, or by both companies, of the railway or moveable property of either or both, or any part thereof, or touching any services to be rendered by the one company to the other, and the compensation therefor; and any such agreement shall be valid and binding, and shall be enforced by courts of law according to the terms and tenor thereof.

Consent of shareholders to be obtained.

5. No liability or expenditure shall be incurred or powers exercised under the four preceding sections unless the consent of two-thirds of the shareholders shall have been obtained at any half-yearly general meeting in terms of the seventh section of the Great Western Railway Act, 1870, or at a special general meeting, if deemed expedient to be called for the purpose,

Recital.

Company may purchase land for certain purposes.

6. Whereas the company have entered into agreements for running powers and otherwise for the working of railways subsidiary to the railway of the company and in connection therewith, or with the branches thereof, or with other lines of railway worked by the company, and it is necessary that the company should acquire and possess lands at convenient places along the line of such railways for the more convenient working thereof, and for the convenience of its traffic and the maintaining of the railway, therefore it shall be lawful for the company to purchase, take and hold, at convenient places along the line of their road and its branches, and along the line of any railway worked by the company, such lot and lots of land, or parcels thereof, as the directors shall think advisable or necessary for the use and convenience of the same and the traffic thereof, and for providing facilities therefor, and for supplying ballast and keeping the said railway of the company and its branches, and such other railways worked by the company in sufficient repair, and also the right of way to the same, and again to sell and dispose of such lands or any part thereof.

Recital.

7. Whereas the share and stock capital of the Great Western Railway Company is twenty-eight million eight hundred thousand dollars, and the said company have power to borrow upon their terminable bonds a sum equal to one-half the said capital, or fourteen million four hundred thousand dollars, and have already exercised such power to the extent of nine millions three hundred and ten thousand nine hundred and six dollars and sixty-six cents, leaving a sum of five millions eighty-nine thousand and ninety-three dollars and thirty-four cents which may be raised under such powers. And whereas, under section six of "The Great Western Railway Company's Financial Act, 1871, the company is declared to have further power of borrowing upon perpetual debenture stock the sum of three million four hundred and eighty-two thousand and one hundred and seventy-four dollars and seventy-one cents,

of which they have already issued two hundred and twenty-seven thousand two hundred and seventy-three dollars and thirty-four cents, leaving three million two hundred and fifty-four thousand nine hundred and one dollars and thirty-seven cents which may  
 5 yet be raised thereon ; And whereas the said terminable bonds and perpetual debenture stock have a coordinate lien upon the railway tolls, lands and property of the company ; And whereas the sums remaining unborrowed upon the said two classes of security amount to eight million three hundred and forty-three  
 10 thousand and nine hundred and ninety-four dollars and seventy-one cents, and it may be expedient to raise the whole of such money, or so much thereof as may from time to time be required, by the issue of one of such two classes of security only, or partly by and upon one and partly by and upon the other, irre-  
 15 spective of the limitation aforesaid ; as to each class, therefore, it shall be lawful if the directors of the company think it advisable, and they are hereby empowered to raise and borrow the whole of the said sum of eight million, three hundred and forty-three thou-  
 20 said, nine hundred and ninety-four dollars and seventy-one cents, or so much thereof as from time to time may be deemed necessary, by the issue of perpetual debenture stock, to be treated and con- sidered as part of the regular debenture debts of the company, or  
 25 by the issue of terminable bonds, or partly by the issue of one class and partly by the issue of the other, irrespective of and notwith- standing any limitation in regard to the amount of such securities respectively contained in the Act passed in the twenty-second year of Her Majesty's reign, chapter one hundred and sixteen, or in *the Great Western Railway Company's Financial Act, 1871,* or in any other Act ; so, however, that the loan capital raised or bor-  
 30 rowed under one class or the other, as hereby provided, shall not in the whole exceed the said sum of eight million, three hundred and forty-three thousand, nine hundred and and ninety-four dollars and seventy-one cents, and the perpetual debenture stock and terminable bonds so issued shall respectively stand upon the same  
 35 footing and be in every respect in the same position as the perpetual debenture bonds and terminable bonds respectively in the sixth and seventh sections of "*the Great Western Railway Com- pany's Financial Act, 1871,*" mentioned, and although the amount of either class shall be in excess of the limit therein men-  
 40 tioned in regard thereto.

Company may borrow a certain sum of money.

8. This Act may be cited as "The Great Western Railway Short title. Act, 1873."