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No. 69.

4th Session, 8th Parliament, 62 Victoria, 1899

BILL.

An Act to incorporate the Niagara,
St. Catharines and Toronto Railway
Company.

First reading, April 21, 1899.

(PRIVATE BILL.)

Mr. CALVERT.

OTTAWA
Printed by S. E. DAWSON
Printer to the Queen's most Excellent Majesty
1899

An Act to incorporate the Niagara, St. Catharines and
Toronto Railway Company.

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

- 1.** Joseph Allen Powers, Addison Beecher Colvin, John Incorporation.
W. Herbert J. Ledlie Hees, and
together with such per-
sons as become shareholders in the company, are hereby in-
10 corporated under the name of "The Niagara, St. Catharines and Toronto
Railway Company," hereinafter called "the
Company." Corporate name.
- 2.** The undertaking of the Company is hereby declared to Declaratory.
be a work for the general advantage of Canada.
- 15 **3.** The persons named in section 1 of this Act are hereby Provisional directors.
constituted provisional directors of the Company.
- 4.** The capital stock of the Company shall be one million Capital stock and calls thereon.
dollars, and may be called up by the directors from time to
time as they deem necessary, but no one call shall exceed ten
20 per cent on the shares subscribed.
- 5.** The head office of the Company shall be in the city of Head office.
St. Catharines, in the province of Ontario.
- 6.** The annual meeting of the shareholders shall be held on Annual meeting.
the first Tuesday in September in each year.
- 25 **7.** At such meeting the subscribers for the capital stock Election of directors.
assembled, who have paid all calls due on their shares, shall
choose seven persons to be directors of the Company, one or
more of whom may [hold other office with the Company and
be paid therefor.]
- 30 **2.** The directors may be represented at and vote by proxy Proxies of directors.
at any meeting of directors at which three directors are present
in person, but such proxy shall be himself a director, and no
director shall hold more than two proxies.
- 3.** No meeting of directors shall be competent to transact Quorum of directors.
35 business unless at least two directors are present thereat.

Power to acquire another railway.

8. The Company may, upon such terms and conditions as are agreed on with the purchasers of the line of railway heretofore owned by the Niagara, Hamilton and Pacific Railway Company, acquire such line of railway, and the rights, powers and franchises connected therewith, and may repair, reconstruct and operate the same; and may lay out, construct and operate an extension thereof, to a point on the Niagara River at or near Fort Erie, and an extension to a point in or near the city of Toronto by way of the city of Hamilton or thereabouts, and a branch line from a point on the main line in or near the city of St. Catharines to a point on Lake Ontario, in or near Port Dalhousie, in the county of Lincoln.

Extensions of railway.

Application of Railway Act.

2. All the provisions of *The Railway Act* shall apply to the Company and to the line so acquired from the said purchasers, and to the maintenance, repairs and operation thereof, as if the Company had been authorized to lay out, construct and operate the said line, and as if the same had been laid out and constructed by it, and the Company may, for the purpose of filling with embankment any trestle or bridge on the said line, acquire such additional width of lands as may be necessary for such purpose, and the provisions of *The Railway Act* respecting the acquisition of lands shall apply to such acquisition.

Bond issue limited.

9. The Company may issue bonds, debentures or other securities to the extent of twenty five thousand dollars per mile of its railway and branches; but such bonds, debentures and other securities may be issued only in proportion to the length of railway constructed or under contract to be constructed.

Powers of Company. Transportation.

10. The Company may, for the purpose of its business,—
(a.) construct, acquire and navigate vessels upon or across the Niagara River and Lake Ontario, and upon all waters connecting therewith, and may carry on generally the business of transportation in connection with its railway and vessels;

Wharfs, elevators, etc.

(b.) construct, acquire, lease and sell wharfs, docks, elevators, warehouses and other works in connection with freight and passenger business upon its railway and vessels;

Lands, electricity, etc.

(c.) acquire lands, and erect, use, make and manage works, machinery and plant for the generation, transmission and distribution of electric and other power and energy.

Water power.

11. The Company may acquire and utilize water power, and dispose of the surplus power either directly or by converting the same into electric and other power and energy.

Expropriation of lands.

12. If the Company, for the purposes of its undertaking, requires land for wharfs, docks and elevators, and cannot agree for the purchase thereof with the owner of such land, it may cause a map or plan and book of reference to be made of such land; and all the provisions of sections 107 to 111, both inclusive of *The Railway Act*, shall apply to the subject matter of this section and to the obtaining of such land and determining the compensation therefor.

13. If the said line of railway heretofore owned by the Niagara, Hamilton and Pacific Railway Company is not acquired from the said purchasers within two years after the passing of this Act, or if the extensions hereby authorized are not finished and put in operation within five years after the passing of this Act, then the powers granted by this Act or by *The Railway Act* shall cease and be null and void as respects so much of the said extensions as then remains uncompleted.

Time limited
for acquiring
other railway,
and building
extensions.