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No. 42.

3rd Session, 1st Parliament, 33 Victoria, 1870.

BILL.

An Act respecting the Ottawa City Passenger Railway Company.

PRIVATE BILL.

Mr. CURRIER.

OTTAWA :

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

1870.

An Act respecting the Ottawa City Passenger Railway
Company.

WHEREAS, the Ottawa City Passenger Railway Com- Preamble.
pany have, by their Petition, represented that they
are incorporated under an Act of the Legislature of the
late Province of Canada, passed in the year one thousand
5 eight hundred and sixty six, and known as the 29 and 30 Vic.,
cap 106, and are thereby authorized to construct an iron
railway, as therein mentioned, upon certain streets in the
City of Ottawa, in the Province of Ontario, and the Municipi-
palities adjoining, namely:—From the east end of Ottawa
10 Street in New Edinburgh, and through the City of Ottawa,
along the [streets, in the said Act mentioned, along Duke
Street, to or near the Suspension Bridge, and upon such
other streets within the said City and the Municipalities in
Upper Canada, adjoining the City, or any of them, as they
15 may be authorized to pass along under any subsequent
agreement with and by-laws of the Corporations of the said
City and Municipalities; and, further, that by an Act
of the Legislature of the Province of Ontario, passed
in the year One thousand eight hundred and sixty-eight,
20 known as the 31 Vic., cap 45, certain extended powers
are conferred upon the said Company, and the time
for the completion of that portion of the Railway lying
within the limits of the City of Ottawa, is thereby extended
to the first day of September, in the year one thousand eight
25 hundred and seventy; and further stating that the large
increase of business and of population necessary to the
carrying on of such business, in respect to milling and manu-
facturing purposes on the River Ottawa, in the Village of
Hull, situate in the Township of Hull, in the County of
30 Ottawa, in the Province of Quebec, being the Municipality
immediately opposite to the said City of Ottawa, renders it
necessary for the convenience of the inhabitants thereof, that
the Railway to be constructed by the said Company should
be carried from its terminus as defined by the first therein-
35 before mentioned Act, at or near the Suspension Bridge, across
the same (usually known as the Union Bridge) and its
approaches, and through the Village of Hull, in the
Province of Quebec, and that the powers conferred by
the therein mentioned Acts, in respect to the Company,
40 and in respect to the Municipalities therein mentioned,
should be conferred upon them in respect to the Village
of Hull, and to such other Municipalities in the Province
of Quebec as the said Railway may at any time pass
through, and that they should be authorized to connect
45 the said extension with any Railway or Tramway of

like guage that may be constructed to Aylmer, or to any other point or points from the said Village of Hull; and the Petitioners have prayed that an Act may be passed, giving them power to extend their line of Railway from its Terminus at or near the Suspension Bridge, in the City of Ottawa, 5 across the said Bridge and its approaches, and through the Village of Hull, in the Province of Quebec, with power to connect the said extension with any Railway or Tramway of like guage that may be constructed to or from the said Village of Hull, and that the powers given to the Company 10 by the Acts thereinbefore mentioned may be conferred upon them in respect to the said extension and such further powers as may be necessary to enable them to complete and work the said Railway; and whereas the Municipal Council of the said Village of Hull, and the inhabitants 15 of the said Village of Hull have respectively presented their Petitions reciting as or to the effect set out in the Petition of the Ottawa City Passenger Railway Company, and have prayed for the passing of an Act for the purposes contemplated as aforesaid; and, whereas, it is 20 expedient to grant the prayer of the said Petitions; and, whereas, the Ottawa City Passenger Railway Company, although a local work and undertaking, and wholly situate within the Province of Ontario, is for the advantage of the Provinces of Ontario and Quebec; and, whereas, the extension 25 of the said Railway, by this Act intended to be authorized, will connect the Province of Ontario with the Province of Quebec, and will extend beyond the limits of the Province of Ontario; therefore, Her Majesty, by and with the advice and consent of the Senate and House of Commons, enacts as 30 follows:—

Railway declared of general advantage to Provinces of Ontario and Quebec.

1. The Ottawa City Passenger Railway, authorized by an Act of the Legislature of the late Province of Canada, made and passed in the twenty-ninth and thirtieth years of Her Majesty's Reign, and intituled "An Act to incorporate the 35 Ottawa City Passenger Railway Company," and by an Act of Legislature of the Province of Ontario, made and passed in the Thirty-first year of Her Majesty's reign, chaptered 45, and intituled "An Act to amend an Act intituled an Act to incorporate the Ottawa City Passenger Railway Company," 40 although wholly situate in the Province of Ontario, is hereby declared to be a work for the advantage of the Provinces of Ontario and Quebec, being two of the Provinces of Canada.

Company declared to be a Corporation and Acts of late Province of Canada and of Province of Ontario declared applicable thereto.

2. The Ottawa City Passenger Railway Company is hereby 45 declared to be a Corporation for the purposes, and with the powers mentioned in the Acts of the Legislature of the late Province of Canada and of the Province of Ontario, in the preceding section mentioned, and the several provisions thereof respectively are hereby declared to be and are enacted 50 as applicable to the Ottawa City Passenger Railway Company, and shall be read and taken as if the said Acts were incorporated with this Act, and as if the same were an Act or Acts of the Parliament of Canada, and in so far as the same are respectively applicable to the extension of the Line of Railway 55 hereby authorized shall be read and taken as applicable thereto

3. The Ottawa City Passenger Railway Company shall have full power and authority to extend its line of Railway from its Terminus at or near the Suspension Bridge in the City of Ottawa, to, over, upon, and across the said Suspension Bridge, commonly called the Union Bridge, and its approaches thereto respectively, and to, in, and through the Village of Hull, in the Township of Hull, in the County of Ottawa, in the Province of Quebec, and all and every the rights, powers, and privileges, granted to and conferred upon the said Company in and by the said Acts hereinbefore respectively mentioned, are hereby granted to and conferred upon the said Company in respect to the extension of the Line of Railway herein authorized. Provided always that the said Company shall not exercise or enjoy any of the rights, powers, and privileges by this section conferred in respect to the extension of the said Line, to, over, upon, and across the said Suspension Bridge, until the same is sanctioned by the Governor in Council, and such rights, powers, and privileges shall thereafter be exercised under and subject to such conditions, stipulations, provisions, and restrictions as may be, from time to time, made, specified, and imposed under any Order of the Governor in Council in that behalf.

Power of extension of Railway over Suspension Bridge and into Province of Quebec.

Proviso.

4. The Governor in Council shall have full power to make and prescribe such conditions, stipulations, provisions and restrictions in respect to the extension of the said Line of Railway to, over, upon, and across the said Suspension Bridge, and generally in respect to the use of the said Bridge, and in any other respects whatsoever, and from time to time to alter and vary the same, and on breach by the said Company of any conditions, stipulations, provisions, and restrictions made by Order in Council, to restrain and prevent the use of the said Suspension Bridge by the said Company, or the running of their cars, carriages, or other vehicles upon or over the same, and may again thereafter authorize the use of the said Bridge as aforesaid.

Power to Governor in Council to prescribe conditions as to use of Suspension Bridge.

5. All and every the rights, powers, and privileges in and by the said Acts hereinbefore mentioned, conferred upon the Corporation of the City of Ottawa are hereby in so far as the same are applicable thereto, conferred in and upon the Municipal Council of the Village of Hull, or of any other Municipality through which or any part of which the extension of the Line of Railway hereby authorized shall at any time hereafter be made or constructed.

Powers given to Municipal Councils in Province of Quebec.

6. All and every the powers granted and conferred by the first section of the Act of the Legislature of the Province of Ontario hereinbefore mentioned, in respect to the connection of the said Ottawa City Passenger Railway with the Line of the Railway of the Saint Lawrence and Ottawa Railway Company shall extend to the connection with any Railway which may be constructed by the Saint Lawrence and Ottawa Railway Company under the 14th section of the Act of the Parliament of Canada, made and passed in the Thirty-first year of Her Majesty's Reign, intituled "An Act to incorporate the Saint Lawrence and Ottawa Railway Company," and to any other Railway or Tramway of like gauge, the

Powers given to Railway Companies to connect with Passenger Railway Co.

construction of which from or in the vicinity of the Terminus of the Ottawa City Passenger Railway, in the Village of Hull, to any point in the Province of Quebec, may be authorized by any Act of the Parliament of Canada, or any Act of the Legislature of the Province of Quebec. 5

Period for extension of line under this Act.

7. All and every the powers conferred upon the Ottawa City Passenger Railway Company, in respect to its extension, shall be exercised by the commencement of the said work within six months after any order of the Governor in Council, sanctioning the same as hereinbefore provided, and the said 10 work shall be completed within twelve months therefrom.

Repeal of Section 4, Act of Ontario.

8. The fourth section of the Act of the Legislature of Ontario, hereinbefore mentioned is hereby repealed.

Certain clauses of Railway Act, 1868, to apply.

9. "The Railway Act, 1868," shall apply to the Ottawa City Passenger Railway, and so far as the same is applicable 15 to the undertaking, and not inconsistent with or repugnant to any of the provisions of the hereinbefore mentioned Acts affecting the said Company, or of this present Act, the same is incorporated with this present Act, and shall form part thereof, and be construed therewith, as forming one Act, 20 provided that the sections of "The Railway Act, 1868," referred to by the words forming the headings of such sections respectively as are hereinafter mentioned, shall not be incorporated with this present Act, and shall be excepted from such incorporation, that is to say: "Plans and Surveys," 25 "Lands and their Valuation," "Highways and Bridges," "Fences," "Tolls," "Working of the Railway," subsections one to ten inclusive, and "General Provisions."