

CAP. CCIX.

An Act granting certain privileges to the New-York, Newfoundland and London Telegraph Company.

[Assented to 19th May, 1855.]

Preamble.

WHEREAS the Legislature of Newfoundland has incorporated a Company under the style and title of the *New York, Newfoundland and London Telegraph Company*, for the purpose, among others, of establishing a line of Telegraphic communication between America and Europe; And whereas certain British subjects have already agreed to become interested in the Stock of the said Company, to the extent of one half thereof; And whereas it is expedient for the Legislature of Canada to encourage the said undertaking: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, intituled, *An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada*, and it is hereby enacted by the authority of the same, as follows:

Company may acquire and hold land required for working their Telegraph.

I. The said Company shall have power to purchase, receive, have and to hold to them and their successors to and for the use of the said Company, such real estate in this Province, and such only, as may be necessary for the convenient transaction of the business of the Company, and for the erection of buildings for the suitable accommodation of the stations thereof in this Province, now or hereafter to be established, and for the construction of the line or lines or branches thereof, and for the effectual carrying on the operations of such Company, and the same to let, convey or otherwise depart with for the benefit and on account of the Company from time to time as they shall deem expedient.

May construct the Telegraph in this Province.

II. The said Company may establish, construct, purchase, hire, keep in order and work any line or lines of magnetic, electric or other Telegraph or means of Telegraphic communication, in any part of the Province of Canada, or places under its jurisdiction, or between any two or more points therein, or between any point or points therein, and any Island, Province, Country or place in or near the Continent of America, or in or near the Continent of Europe, or in the Atlantic Ocean.

Telegraph may be carried along high-ways, &c.

III. The said Company may erect or maintain their said lines of Telegraph along the side of or across any public high-ways, bridges, water course or other such places, provided they do not interfere with the public right of travelling thereon, or may enter upon any lands or places, and survey and set off such

such parts thereof as may be necessary for the said lines of Telegraph, and may take from any part of the ungranted and unoccupied Crown Lands of this Province, having first obtained the consent of the Crown, any posts or building materials necessary to make or repair the lines or any buildings in connection therewith; and in case of disagreement between the Company and any owner or occupier of lands which the Company may take for the purposes aforesaid, or in respect to any damage done to the same by constructing the lines through or upon the same, the Company and such owner or occupier, as the case may be, shall each choose an arbitrator, which two arbitrators shall choose a third, and the decision on the matter in difference of any two of them in writing shall be final; and if the said owner or occupier, or the agent of the said Company shall neglect or refuse to choose an arbitrator within four days after notice in writing, and upon proof of personal service to him from the opposite party, or if such two arbitrators when duly chosen shall disagree in the choice of a third arbitrator, in any such case it shall be lawful for the Provincial Secretary, for the time being, to nominate any such arbitrator, or such third arbitrator, as the case may be, who shall possess the same power as if chosen in manner above provided; Provided always, that nothing herein contained shall be construed to confer on the said Company the right of building a Bridge over any navigable water.

Damages done
to be settled
by Arbitrators.

Proviso: Na-
vigation not to
be interrupted.

IV. Any person wilfully interrupting the free use by the said Company of any Telegraphic line, established, hired or used by it, or any works connected therewith, shall be subject to a penalty of not less than ten pounds nor more than one hundred pounds, to be recovered by any person informing and suing for the same in a summary way before one or more Justices of the Peace, and to be levied by a warrant of distress and sale of the offenders' goods and chattels, one half of such penalty to go to the party suing for the same, and the other half to be paid to the Receiver General of the Province for the use thereof; and in default of goods and chattels to satisfy such warrant, every such offender shall be committed to gaol by such Justice or Justices for any period not exceeding one hundred days, and if any person shall wilfully or maliciously obstruct or damage any such Telegraphic line, works, buildings, machinery or other property connected therewith, he shall be guilty of misdemeanor, and shall be punished by imprisonment for a period not exceeding one year, and by a fine not exceeding two hundred pounds; And every operator, agent or servant of the said Company employed in the transmission or delivery of intelligence or messages, shall, before he enters on the duties of his office, make oath before a Judge or Justice of the Peace, that he will not wilfully divulge the contents of any message transmitted by the said Company, or left with any of its operators, agents or servants for transmission or delivery; and every person violating the said oath shall be adjudged guilty of misdemeanor and punished

Penalty on
persons in-
juring the Te-
legraph or in-
terrupting the
use of it.

Operators to
be sworn.

Violation of
oath to be
misdemeanor.

punished by imprisonment for a period not exceeding one year, and by a fine not exceeding two hundred pounds.

Wire, &c., for the Telegraph, to be free of duty.

V. All wires and materials required for constructing, repairing or working the said Company's main or branch lines of Telegraph, or for connecting them or any of them with any Island, Province or Country, shall and may be imported free of duty.

Public Act.

VI. This Act shall be deemed and taken to be a Public Act.

C A P. C C X .

An Act to incorporate the Imperial Fire, Marine and Life Insurance Company.

[Assented to 19th May, 1855.]

Preamble.

WHEREAS Nelson Marcus Bockus, James Simeon McCuaig, James Walker, James H. Birss and others, have petitioned the Legislature of this Province, praying that an association under the style and title of the Imperial Fire, Marine and Life Insurance Company, may be incorporated for the purpose of enabling the said petitioners and others to carry on the business of Fire, Marine and Life Assurance with facility; And whereas it hath been considered that the establishment of such an association would be greatly beneficial to the Mercantile and Agricultural interests of the Province, and tend to the retaining therein a large portion of the money annually sent away as premiums for such insurances: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled, *An Act to re-write the Provinces of Upper and Lower Canada, and for the Government of Canada*, and it is hereby enacted by the authority of the same, as follows:

Company incorporated.

I. All such persons as now are or hereafter shall become stockholders of the said Company, shall be and are hereby ordained, constituted and declared to be from time to time and until the first day of January, of the year one thousand nine hundred, a Body Corporate and Politic in law, in fact and in name, by the style and title of the "Imperial Fire, Marine and Life Insurance Company," and by that name, style and title, they and their successors, until the said first day of January, one thousand nine hundred, shall and may have continued succession, and shall be capable in law of suing and being sued, pleading and being impleaded, answering and being answered unto, defending and being defended, in all Courts and places whatsoever in all manner of actions, suits, complaints, matters and causes whatsoever, and they and their successors may have a Common Seal, and may change and alter the

Corporate name and general powers.

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