

Laws of Her Majesty's Province of United Canada, passed in the year 1851. Quebec: Stewart Derbshire and George Desbarts, 1852.

16 Victoria – Chapter 75

An Act to provide for the construction of a general Rail-way Bridge over the River St. Lawrence, at or in the vicinity of the City of Montreal. Assented to 17th March, 1853.

Whereas the construction of a Railway Bridge over the River St. Lawrence, at or in the immediate vicinity of the City of Montreal, which should be open on fair terms to the use of all the Railways from various parts of the Province and of the United States, running to or through the said City, would be of the greatest advantage to the people of every part of this Province, and is essential to the well working and success of the various Railways in progress throughout the length, and breadth thereof; And whereas divers of the said Railway Companies have petitioned that *The Grand Trunk Railway Company of Canada* may be authorized to construct such Bridge, subject to the provisions and conditions hereinafter made, and the said Company are willing and have petitioned for power to undertake the construction thereof on such terms and conditions: 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-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, That *The Grand Trunk Railway Company of Canada*, or any Company which shall be formed by the union of the said Company with any one or more Railway Companies under the Act in that behalf, shall have full power and authority to construct a Railway Bridge to be called and known as "*the Victoria Bridge*," across the River St. Lawrence, from some point in the City or parish of Montreal, above the point known as the "*Ruisseau Migeon*," to some point in the parish of St. Antoine de Longueuil or in the parish of Laprairie de la Madeleine, and to construct on either side of the said River and within the said City or any of the parishes hereinbefore mentioned, such branch railways, wharves, embankments, piers, stations, inclined planes, and other works of any kind as may be necessary for the convenient using of the said Bridge, or for connecting it with any railway coming within the said City or any of the parishes aforesaid, or for the safety, and protection of the said Bridge or Works, or for complying with any condition to be imposed by the Governor in Council under the provisions hereinafter contained.

II. And be it enacted, That the said Company shall have full power and authority to purchase, acquire, take and hold such lands, lands covered with water, beaches and other property, as may be necessary for the purpose of constructing the said Bridge and the other works hereinbefore authorized, or for the convenient using of the same, or for any other purpose authorized by this Act, subject always to the enactments, provisions, limitations and restrictions made and contained in the Act of the present Session, intituled, *An Act to incorporate the Grand Trunk Railway of Canada*; which said Act, (including all the clauses of *The Railway Clauses Consolidation Act*, incorporated therewith, and which are always included when the said Act is mentioned in this Act) shall, in so far as the same may not be inconsistent with this Act, extend and apply to the said

Bridge, Branch Railways and other works the construction of which is hereby authorized, and to all lands and property required for the same, as fully and effectually as to the Railway and other works mentioned in the said Act, of which the Bridge and Works hereby authorized shall be held to form part, except in so far as herein otherwise provided.

III. Provided always, and be it enacted, That the said Company shall not commence the said Bridge or any work thereunto appertaining, or take possession of any public beach or lands covered with the waters of the River St. Lawrence, or of any Island therein, until they shall have submitted to the Governor in Council, plans of the said Bridge and of all the intended works thereunto appertaining, nor until such plans and the site of the said Bridge shall have been approved by the Governor in Council, and such conditions as he shall have thought fit for the public good to impose touching the said Bridge and Works, shall have been complied with; nor shall any such plan be altered or any deviation therefrom allowed except by the permission of the Governor in Council, and upon such conditions as he shall impose: Provided always, that in the construction of the said Bridge, the said Company shall not cause any obstruction in, or in any way impede the free navigation of the River St. Lawrence.

IV. And be it enacted, That it shall be lawful for the said Company, if they shall think proper, and subject to the approval of the Governor in Council as aforesaid, so to construct the said Bridge as to adapt it to the passage of ordinary vehicles, animals and passengers, and to connect it with the main road on either side of the said River, by ordinary roads to be made by the said Company, and to which and to any other work required under this Section, the provisions of this Act and of the said Act incorporating *The Grand Trunk Railway Company of Canada*, shall apply as to other works authorized by this Act: and it shall be lawful for the said Company to demand and receive Tolls upon ordinary vehicles, animals and passengers passing over the said Bridge under the provisions of this Section, and such Tolls shall be payable before the vehicles, animals or passengers, in respect of which they shall be payable, shall be entitled to pass over the said Bridge.

V. Provided always, That no provision in the Act incorporating the Company constructing the said Bridge, or in any Act amending the same or incorporated with it, limiting the rates, tolls and charges to be taken by the said Company for conveying passengers or freight, shall apply to the tolls to be taken for conveying passengers or freight over the said Bridge, but such tolls shall be from time to time fixed by the Directors of the said Company, and shall not be subject to sanction or revision by any other authority.

VI. And be it enacted, That it shall be lawful for any Railway Company whose Railway comes within the said City of Montreal or any of the parishes aforesaid, with the consent of the Directors of the Company constructing the said Bridge, to connect such Railway with the said Bridge, or with some Branch Railway made under the authority of this Act and leading to the said Bridge, and to cause their engines and carriages to pass with their freight and passengers over and along the said Bridge and Branch Railway or either of them, and to discharge and receive passengers and freight at any Station or Depôt of the Company constructing the said Bridge, and for the said last mentioned Company to allow the Company first mentioned so to do upon such terms and conditions as the Directors of the two Companies shall agree upon, and if the gauge of the

Railways of the two Companies be different, then the Company constructing the said Bridge may (notwithstanding any clause fixing the gauge of their Railway) so arrange the lines of Rails thereon, and upon the Branch Line leading thereto from the Railway of the other Company, as that the engines and carriages of such other Company may easily pass over the said Bridge, and along the said Branch, and into and out of any such Station or Depôt as aforesaid; and the terms and conditions to be so agreed upon may extend to the payment by the other Company to the Company constructing the Bridge of a fixed sum once for all, or of an annual sum, or of sums payable from time to time and proportioned to the number of carriages or passengers or the quantity of freight conveyed over the said Bridge, and the services performed or accommodation afforded in respect thereof for such other Company: Provided always, that it shall also be lawful for the Directors of the Company constructing the said Bridge to agree with the Directors of such other Company as aforesaid, that either Company shall receive and convey for the other, passengers and freight between the said City of Montreal, and any Station or Depôt of either Company, and in the carriages of either Company, or shall perform any other service for the other Company, upon such terms and conditions as the Directors of the two Companies shall agree upon; and any agreement made by the Directors of any two Companies under this section shall be binding upon such Companies during the time for which it shall be made, but it shall not be compulsory on the Directors of any Company to make or renew any agreement under this section.

VII. And be it enacted, That it shall be lawful for the Directors of the Company constructing the said Bridge, to increase the Capital Stock of the said Company, by such sum not exceeding the sum of One Million Five Hundred Thousand Pounds sterling, as may be requisite for constructing the Bridge and Works hereby authorized, or for enabling them to carry this Act into effect, and such increase may be made either by subscriptions for new stock by the then Shareholders of the Company, or by the admission of new subscribers, or in both ways; and the shares of such additional Stock shall be each of the same amount as the shares of the other Stock of the said Company, and all the provisions of the Act incorporating the said Company shall apply to such additional shares, and to the subscribers for or holders thereof, in so far as may not be inconsistent with the express provisions of this Act; or it shall be lawful for the said Directors to raise the said sum partly by such increase of the Capital Stock of the Company as aforesaid, and partly by loan, and for that purpose to issue Debentures of the said Company, to which all the provisions of the Act incorporating the said Company shall apply, as to the Debentures issued under the authority thereof: and it shall be lawful for the Directors of any other Railway Company, on behalf thereof, to subscribe for and hold shares of such additional Stock as aforesaid, of the Company constructing the said Bridge, and to authorize any person or persons to vote upon such Stock at meetings of the Shareholders of such last named Company, appointing one such person for every hundred shares held by such other Company, and one for any broken number of shares so held less than a hundred; and it shall also be lawful for the Directors of such other Company to lend money to the Company constructing the said Bridge, or to guarantee the payment of the principal or interest or both of any Debentures to be issued under this Act by such last mentioned Company, and to construct any Branch Railway or other work which may be necessary for conveniently connecting the Railway of such other Company with the said Bridge, or for enabling such other Company fully to avail itself of the provisions of this Act, and to increase the Capital Stock of such other Company by such sum as may be necessary to defray the cost of any such

work, or to pay any sum which shall, become payable by such Company under the provisions of this Act, and such increase may be made either by subscription for new Stock by the then Shareholders of such Company, or by admission of new subscribers, or in both ways, or it shall be lawful for the Directors of such Company to raise such sum partly by such additional Stock and partly by loan, and for that purpose to issue Debentures of such Company; and to all such Branch Railways and other works to be constructed under this Section by any Company other than the Company constructing the said Bridge, and to all shares of the additional Stock of such Company authorized, by this Section, and to the subscribers for and holders thereof, and to all Debentures to be issued by such Company, and other the things to be done by or on behalf of the said Company under this Section, the provisions of the Act incorporating such Company, as amended by any subsequent Act, shall apply in so far as they may not be inconsistent with this Act.

VIII. Provided always and be it enacted, That the Guarantee of this Province shall not be extended to any Loan or Debenture to be raised or issued under the authority of this Act or in respect of the said Bridge or any work to be constructed under this Act; and that neither the privilege and prior claim of Her Majesty on behalf of this Province by reason of the Guarantee of the Province granted or to be granted to the Company constructing the said Bridge, or to any other Railway Company, nor any general hypothec or mortgage given by the Company constructing the said Bridge, or by any other Railway Company before the passing of this Act, shall extend to the said Bridge or to any work constructed solely under the authority of this Act, or to the tolls and profits to be derived therefrom, but the same and the shares held by any other Company in the Stock of the Company constructing the said Bridge, may be separately hypothecated, mortgaged or pledged, and the claim of Her Majesty on behalf of this Province and any such general hypothec or mortgage as aforesaid, shall rank after any special hypothec, mortgage or pledge to be given upon the said Bridge or works or any of them, for securing any sum of money raised or borrowed for the purpose of constructing the said Bridge or any such work as aforesaid: And the Company constructing the said Bridge and Works, or any of them, shall keep such account as shall be necessary for ascertaining the Tolls and income derived from the said Bridge and Works, so as to distinguish them from the other income of the same Company, in so far as may be necessary for determining the respective rights of the creditors of such Company.

IX. And be it enacted, That the Company authorized to construct the Bridge mentioned in this Act, shall commence the same within two years from the passing of this Act, and complete the same for the passage of Railway Carriages and Engines within five years from the same time, otherwise the privileges granted to them by this Act shall cease and determine.

X. And whereas the Provisional Committee for obtaining a Bridge over the River St. Lawrence at Montreal, have expended considerable sums in Surveys and in collecting information touching the best site for such Bridge and other matters thereunto relating: Be it therefore enacted, That if the Company constructing the said Bridge have used or shall use any information, surveys or plans obtained and made by or at the cost of the said Provisional Committee, the said Company shall pay such sum to the said Committee as may be agreed upon as a fair compensation for the same, or if the said Company and Committee cannot agree, then such sum not exceeding Five Hundred

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Pounds sterling, as the Board of Railway Commissioners shall fix as the amount of such compensation.

XI. And be it enacted, That this Act and the Act cited in the second section thereof shall be Public Acts.