

A BY-LAW

To aid and assist the Napanee, Tamworth and Quebec Railway Company by granting a bonus thereto of Seventy-five Thousand Dollars, for the purpose and upon the conditions therein mentioned and con-

WHEREAL, by an act of the parliament of Canada passed in the firty second year of Her Majesty's reign, unsptered sixtyseven, the Napanee, Tamworth & Quebec Railway Company, hereinafter called "The Company" was duly incorporated.

AND WHEREAS, by an act of the legislature of the Province of Ontario, chaptered 184 of the Revised Statutes of Ontario, 1887, municipalities are authorized to grant bonuses to any railway company in aid of such railway.

AND WHEREAS, it is proposed by the company to connect their railway from a point at or near the present terminus at the village the Bridge of the Bride of the Bridge of the Bridge of the Bridge of the Bridge of the to a junction with the Canadian Pacific Railway at or near the village of Tweed, in the Township of Hungerford.

AND ALSO to extend their railway from a point at or near the village of Yarker, in the Township of Camden, to a point on the Kingston & Pembroke Railway near Harrowsmith, in the Township of Portland, and there, or at some point south thereof, to form a junction with the Kingston and Pembroke Railway, and to obtain independent running powers for their trains, engines, and cars from such junction over the Kingston & Pembroke Railway to and into the City of Kingston, including the use of the sidings, stations, terminal and other facilities present and future of the Kingston & Pembroke Railway Company with and for the purpose of permanently running their trains between Tweed and Kingston aforesaid.

AND WHEREAS, it is expedient to grant a bonus of seventy five thousand dollars to the company to aid and assist in the construction of the said extensions.

AND WHEREAS, the amount of the debt to be reated by this By law is seventy-five thousand dol'ars, and the object for which it is created is to carry out the grant of the said bonus, and it is necessary for this council for the said purpose to raise the said sum of \$75,000 in the manner hereinafter

AND WHEREAS, the total amount required to be raised annually by special rate on all the rateable property of the municipal. ity of the City of Kingston for paying the said debt and interest, as hereinafter provided, is \$4,076.

AND WHEREAS, the amount of the whole rateable property of the said municipality, according to the last revised assessment roll for the said municipality, being for the year 1888, is \$7,160,240.

AND WHEREAS, the amount of the existing debenture debt of the said municipality, other than the water works debt, is \$389,-041.71, and the water works debenture debt is \$258,900, making a total existing debenture debt of \$647,941.71, and no part of the same or of the interest thereon is in arrear.

AND WHEREAS by Section 11, of an Act of the Legislature of Ontario, passed in the fiftieth year of Her Majesty's reign, chaptered fifty six, it is provided that this council may extend the period within which the debentures hereinafter mentioned shall be payable to forty years from the date

BE IT, THEREFORE, enacted by the Council of the Corporation of the City of Kingston, as follows :

1. It shall be lawful for the said municipality to aid and assist the Napanee, Tamworth and Quebec Railway Company by granting to it the sum of seventy five thousand dollars, in debentures by way of a bonus, for the purpose aforesaid, and under the conditions hereinafter contained.

2. It shall be lawful for the Mayor of the said municipality, to cause any number of debentures to be made for such sums of money as may be required, in currency or sterling money, not less than one hundred dollars each, Canadian currency, or twenty pounds sterling, and that the said debentures shall be sealed with the seal of the said municipality, and signed by the said mayor, and countersigned by the treasurer of the said municipality, and together shall not exceed the sum of seventy-five thousand dollars.

3. That the said debt of seventy five thousand dollars shall be made payable by annual instalments within forty years from and after the day this by law takes effect, which day shall be the date of the issue of the said debentures, and so that the amount falling due in each year shall not, together with the interest payable in each year, exceed the said sum of \$4,076 and so that the aggregate amount payable for principal and interest, in any year of the said period shall be equal as nearly as may be to what is payable for principal and interest during each of the other years of the said period, and the said debentures shall be issued accordingly, and shall have attached to them coupons for the payment of interest thereon as hereinafter provided.

4. The said debentures shall be dated on the day this by-law takes effect, and shall bear interest at and after the rate of 44 per centum, per annum from the date thereof which interest shall be payable half yearly on the first day of the months of July and January in each year at the office of the said treasurer in the said City of Kingston, or in Great Britain or else-

5. For the purpose of paying the said debentures and the interest to become due thereon an annual sum of \$4,076 shall be raised in each year of the said period of torty years by a special rate sufficient, therefor, in addition to all other rates to be raised, levied and collected in each year of the said period of forty years, upon all the ratable property in the said municipality during the currency of the said debentures.

6. The clerk of the said council shall attend at his office in the city buildings in the said city on the first day of December, 1888, at the hour of 2 o'clock p.m., to sum up the number of votes given for and against this By-law, which place, day and hour, are

hereby fixed for the purpose. 7. On the 27th day of November, 1888, at the said clerk's office, at the hour of eleven | half-yearly coupons for interest and the date o'clock a.m., the mayor of the said city shall of the company becoming entitled to the attend for the appointment of and shall ap- | said debentures or any portion thereof, it point in writing, signed by him, two persons | being the intention that except in the case to attend at the final summing up of the of a sale as aforesaid interest shall run only votes given for and against this By-law, and | from said last mentioned date upon the said one person to attend at each polling place on | debentures. behalf of the persons interested in and desirous of promoting the passing of this | means of a sale of the said debentures or By law, and a like number on behalf of the otherwise shall have the right to substitute

8. The votes of the duly qualified electors of the said municipality shall be taken upon this by law on the 29th day of November, 1888, commencing at the hour of nine o'clock a.m. p.m. at the following places in the said municipality by the following named deputy. returning office s, that is to say :

Cataraqui ward-The house of the late Emanuel Gallagher, Wellington street, deputy-returning officer, Edward Garvin. Frontenac ward-Gilbert Auchinvole's

shop, corner Clergy and Colborne streets, deputy-returning officer, Patrick Delaney. Ontario ward-The Ontario Hall, deputyreturning office, George McMahon. Rideau ward-Michael Smith's house,

ster Augustus. St. Lawrence ward-James Purdy's shop, Princess street, deputy-returning officer,

James Purdy. Sydenham ward-Mrs Sullivan's house corner of Gore and Wellington Sta., deputy.

returning officer, George Leslie. Victoria ward-Mrs. Renard's house, Barstreet, deputy-returning officer, Henry

9. This by-law shall come in force and take effect on the 31st day of December, 1888. 10. Provided always, nevertheless, and is also hereby enacted that the said mayor shall deliver said debentures to trustees to be appointed by this council to hold the same upon the trusts and subject to the of fifteen days from the fulfilment of such conditions to the satisfaction of the trustees -to deliver the said debentures and cash received on account thereof-and interest coupons carrying interest on the said debentures to the company.

11. That before the delivery of the said debentures and coupons to the said trustees they shall execute a declaration of trust reciting this By-law and the trusts and conditions following, that is to say :

(a) That the said debentures shall not, nor shall any of them, or any of the interest coupons attached, or any cash received on account thereof be delivered to the company.

(b) Unless the connection from Yarker aforesaid is made within the limits of the second concession of the township of Camden and the connection near Harrowsmith is made not further north than the gravel pit on lots 7 and 8 in the 5th concession of the township of Portland, nor unless the said connections at or near Yarker and Harrowamith aforesaid shall be made in such a manner that a train can pass direct through from Tamworth to Kingston and vice versa without the use of a Y or turntable or reversing either engine or cars.

(c) Until the Kingston and Pembroke Railway Company shall have entered into a duly executed agreement with the company and the corporation of the City of Kingston, securing for all time to come independent running powers for the company's trains, engines and cars between such junction and the City of Kingston and including the use at such junction and the City of Kingston and points between, of the sidings, stations, terminal and other facilities present and future and equal running privileges, except that the trains of the Kingston and Pembroke Railway company shall have precedence over the company's trains of the same classes. Such agreement to be ratified by the shareholders of both companies and if necessary to its validity by the Railway committee of the Privy Council.

(d) Nor until the company has executed a deed whereby it covenants and agrees with the said corporation permanently and effi ciently from the time and as soon as the said extensions are completed as hereinafter provided and according as the same are so completed from henceforth to maintain a train service between Tamworth and Kingston and between Tweed and Kingston as aforesaid, with not less than one passenger and freight daily, Sundays excepted, from Tweed afore said, timed to arrive at Kingston aforesaid hetween the hours of eight and ten in the forenoon, and one such train timed to leave Kingston aforesaid between the hours of one and eight in the a termoon, with a proviso that in default thereof the said corporation may, by injunction or otherwise, compet the maintenance of such efficient train service, besides having any further satisfaction that may be open to the said corporation; also a further covenant that the Company will not charge any less rate per mile for passengers or freight between points on their line and Napanee, or any extension beyond Napanee, than between said points and Kingston. (e) That the said bonus of seventy-five thou-

sand dollars shall be payable as follows: The sum of twenty five thousand dollars on completion of the said extension from, at or near, Yarker to the Kingston and Pembroke Railway as aforesaid, with daily trains as aforesaid running between Tamworth and Kingston, and the said extension between Tamworth and Tweed being under construction.

The sum of fifty thousand dollars on completion of the said extension from Tamworth to Tweed, with daily trains as aforesaid running between Tweed and Kingston, but out of the said last mentioned sum payments on account of said last mentioned extension shall be made at the rate of two thousand dollars per mile as sections of five miles in length from Tamworth aforesaid westward are completed to the satisfaction of an engineer to be nominated by the said corporation, with daily trains running as aforesaid between Tamworth and Kingston.

(f) That said extensions shall be laid with steel rails, weighing not less than fiftysix pounds to the lineal yard, and equal in character of construction to the other portion of the company's railway already con-

structed. (g) That said extension from, at or near, Yarker to the Kingston and Pembroke railway, shall be completed within fifteen months and said extension from Tamworth to Tweed, within twenty-four months from the time this by law takes effect, and in default thereof then said debentures and coupons, or the unearned portion thereof, shall become null and void, and the trustees shall deliver the same, with the cash received on account thereof, to the said Treas-

urer, for the use of the said corporation. (h) That all of the said interest coupons which may accrue due before the company becomes entitled to them or before any sale thereof made by the said corporation as hereinafter mentioned shall be detached from the said debentures and delivered by the trustees te the said Treasurer for the benefit of the said corporation as they ac-

crue due. (i) That in the event of the company. becoming entitled to the said debentures or any portion thereof the company shall also pay to the said Treasurer for the benefit of the said corporation in cash any interest accrued between the maturity of the last

(i) That the said corporation either by persons interested in and desirous of op- cash in lieu of the said debentures at the par value thereof at any time prior to the delivery of any portion of the said debendebentures and coupons shall be handed back by the said trustees to the corporation.

(k) That the company shall give the said trustees fifteen days notice in writing, of the application for the delivery of the said debentures, or either of them.

(1) That the Napanee, Tamworthand Quebee railway company, and the Kingston and Pembroke railway company, wherever men-tioned in this by law, shall be taken to inand any railway company with which they, or either of them respectively, may amalgamate or form a part.

NOTICE.

Brock street, deputy-returning officer, Web. TAKE NOTICE that the above is a true copy of a proposed By-Law which has been taken into consideration, and which will be finally passed by the council of the Corporation of the City of Kingston in the event of the assent of the electors being obtained thereto after one month from the first publication of the same in the Kingston Daily News, the Kingston Daily WHIG and the Canadian Freeman, newspapers of this city, the date of which first publication of the said By Law is the 7th day of November, 1888, and that at the hour, day and places therein fixed for taking the votes of the electors the polls will be held.

M. FLANAGAN, City Clerk. City Clerk's Office.



A BY-LAW

To aid and assist the Kingston, Smith's Falls and Ottawa Railway Company by grant ing a bonus thereto of \$150,000 for the purpose and upon the conditions therein mentioned and contained.

WHEREAS, by an act of the Parliament of Canada passed in the 50th and 51st years of Her Majesty's reign, chapter 88, the Kingston, Smith's Falls and Ottawa Railway Company hereinafter called "The Company" was incorporated. AND WHEREAS, by an act of the Legi-lature

of the Province of Optario, chaptered 184 of the Revised Statutes of Ontario, 1887, munici palities are authorized to grant Bonuses to any railway company in aid of such railway. AND WHEREAS, it is expedient to grant a bonus of \$150,000 to the company to aid and assist in the construction of their railway between the city of Kingston and town of Smith's Falls in the county of Lanark.

AND WHEREAS, the amount of the debt to be created by this By-Law is \$150,000 and the object for which it is granted is to carry out the grant of the said bonus. And it is necessary for this council to raise the said sum of \$150,000 in the manner hereinafter mentioned. AND WHEREAS, the total amount required to be raised annually by special rate on all the ratable property of the municipality of the

interest as hereinafter provided is \$11,585. AND WHEREAS, the amount of the whole ratable property of the said municipality, according to the last revised assessment roll for the municipality being for year 1883, is \$7,160,.

city of Kingston for paying the said debt and

AND WHEREAS, the amount of the existing debenture debt of the said municipality, other than the water works' debt, is \$389,041.71, and the water works debenture debt is \$258,900 making a total existing debenture debt of \$647,941.71 and no part of the same or of the interest thereon is in arrear.

BEIT THEREFORE ENACTED by the council of the corporation of the city of Kingston, as 1. IT shall be lawful for the said municipality

to aid and assist the company by granting to i the sum of one hundred and fifty thousand dol lars in debentures by way of bonus for the purpose aforesaid and under the conditions hereinafter contained. 2. It shall be la *ful for the Mayor of said train for the accommodation of local traffic | municipality to cause any number of deben tures to be made for such sums of money as

may be required in currency or sterling money not less than one hundred dollars each—Canadian currency or twenty pounds sterling. And that the said debentures shall be sealed with the seal of he said municipality and signed by the said Mayor and countersigned by the Treasurer of the said municipality, and together shall not exceed the sum of one hundred and fifty thousand dollars. 3. That the said debt of one hundred and fifty thousand dollars shall be made payable by an-

nual instalments within twenty years from and after the day this By-Law takes effect. Which date shall be the date of the issue of the said debentures, so that the amount falling due each year shall not, together with the interest payable in each year, exceed the said sum of \$11,585, and so that the aggregate amount payable for principal and interest in any year of the said period shall be equal as nearly as may be to what is payable for principal and interest during each of the other years of the said period, and the said debentures shall be made accordingly and shall have attached to them coupons for the payment of interest thereon as hereinafter provided.

4. THE SAID DEBENTURES SHALL BE DATED on the day this By-Law takes effect and shall bear interest at and after the rate of four and a half per centum per annum from the date thereof. Which interest shall be payable half yearly, on the first day of the months of application for the delivery of the said deben-July and January in each year at the office of the said Tressurer in the said city of Kingston, or in Great Britain or elsewhere.

5. For the purpose of paying the said debentures and the interest to become due thereon an annual sum of \$11,585 shall be raised in each of the said years by a special rate sufficient therefor in addition to all other rates to be raised, levied and collected in each year of the said period of twenty years from and | part. upon all the ratable property in the said municipality during the currency of the said debentures.

6. THE Clerk of the said council shall attend at his office in the City Buildings in the said city or the first day of December, 1888, at the hour of two o'clock p. m. in the afternoon to sum up the number of votes given for and against this By-Law, which place, day and hour are hereby fixed for the purpose.

7. UN the 27th day of November. 1888, at the said Clerk's office. at the hour eleven o'clock in the forenoon the Mayor of the said city shall attend for the appointment of and shall appoint, in writing, signed by him, two persons to attend at the final summing up of the votes given for and against this By-Law and one person to attend at each polling place on behalf of the persons interested in and desious of promoting the passing of this By-Law, and a like number on behalf of the persons interested in and desirous of opposing the passing of this By-Law, which place, day and hour are hereby fixed for the said purpose.

8. THE votes of the duly qualified electors of the said municipality shall be taken upon this By Law on the 29th day of November, 1888, commencing at the hour of nine o'clock in the forenoon, and closing at the hour of five o'clock in the afternoon, at the following places in the said municipality by the following named deputy-returning officers, that is to say: Cataragui Ward - The house of the late Emanuel Gallagher, Wellington street deputyreturning officer, Edward Garvin. Frontenac Ward - Gilbert Auchinvole's

house corner Clergy and Colborne streets, deputy-returning officer, Patrick Deleney. Ontario Ward-The Ontario Hall, deputy-returning officer, George McMahon. Rideau Ward - Michael Smith's house, Brock street, deputy-returning officer, Webster Au

St. Lawrence Ward-James Purdy's shop, Princess street, deputy-returning officer, James Sydenham Ward - Mrs. Sallivan's house,

corner Gore and Wellington streets, deputyreturning officer George Leslie. Victoria Ward-Mrs. Renard's house, Barrie St., deputy-returning officer. Henry Spriggs. 9. This By-Law shall come in force and take

effect on the 31st day of December, 1888. 10. PROVIDED always, nevertheless, and it also hereby enacted that the said Mayor shall deliver the said debentures to trustees to be appointed by this council to hold them upon the trusts and subject to the conditions following: And after the expiration of fifteen days. from the fulfilment of such conditions to the satisfaction of the trustees, to deliver the said debentures and cash received on account thereof and interest coupons carrying interest on the said debentures to the Company.

11. AND BEFORE the delivery of the sa. I de-

bentures and coupons to the said trustees they shail execute a declaration of trust reciting this By Law and the trusts and conditions for lowing, that is to say :

(a) THAT the said trustees shall pay to the Company towards preliminary expenses as required by the Company a sum not exceeding \$3,000 in interest coupons accruing on the said debentures for the year 1889, this amount to be deducted from the first payment of principal to which the company may become en-

(b) THAT except as hereinbefore mentioned the said debentures and coupons and any cash received on account thereof shall be retained by the said trustees. (c) UNTIL the organization of the Company as provided by the tweifth section of the act of

sources, exclusive of borrowing, have obtained means or bona fide undertakings to contribute or provide means applicable to the construction of the portion of their railway between Kingston and Smith's Falls amounting to \$350,000 00 inclusive of this boaus and of aid provided by the Dominion of Canada or the Provi ce of Ontario or any of or portions of the municipalities thereof or otherwise, provided that the fulfilment of any conditions other than those

pany to the said debentures. (e) AND UNTIL the Company has executed deed whereby it covenants and agrees with the said corporation, that from and after the construction of the portion of their railway between Kingston and Smith's Falls, they will permanently and efficiently maintain the train service on such portion with not less than one passenger and freight train for the accommodation of local traffic daily, Sundays excepted, from Smith's Falls aforesaid, timed to arrive at Kingston aforesaid between the hours of eight and eleven in the forenoon, and one

hereby imposed which way be annexed to any

undertakings to contribute or gifts in aid shall

not be deemed necessary to entitle the Com-

such train timed to leave Kingston aforesal for Smith's Falls aforesaid between the hours of one and eight in the afternoon with a proviso and the state of t may by injunction or otherwise compel maintenance of such efficient train service beside any other remedy which may be open to said corporation on said deed. Also that the Company will maintain its head offices and principal workshops and repair shops in the City of Kingston. Also that the Company will not charge any greater rate on cordwood from Smith's Falls to Kingston or from any point between Smith's Fall and Kingston to Kingston than nine dollars for each car carry-

ing six cords of hard wood.

(1) That on compliance with the conditions hereinbefore contained the said trustees shall pay over the said debentures with interest coupons attached and cash received on account thereof to the company, at the rate of \$1,500 per mile, as sections of five miles in length from Kingston or from a point of commencement nearest thereto as hereinafter mentioned. are completed to the satisfaction of an engineer to be nominated by the said corporation, and the balance when the railway is completed from Kingston or said point nearest thereto to Smith's Falls with daily trains running bet ween Smith's Falls and Kingston as hereinbefore provided. And it is hereby provided that the Company may enter into an agreement with the Grand Trunk Railway Company and the Kingston and Pembroke Railway Company for the use of such portion of the Railway of either of said companies near Kingston or the terminal facilities thereof as the company may deem advisable, in which case construction will commence from the portion of either of said railways in regard to which such arringements have been made, and provided that such junction shall not be further distant f.om the City of Kington than seven miles,

(g) That the said portion between Kingston and Smith's Falls shall be completed with steel rails, weighing not less than fifty-six pounds to the lineal yard, within five years from the time this By-Law takes effect, and in default thereof then said debentures and coupons or those to be substituted herefor as hereinafter provided or the unearned portion thereof shall become null and void and the trustees shall deliver the same with the cash received on ac count thereof to said treasurer for the use of the said corporation.

(h) That except as hereinbefore provided all of the interest coupons which accrue due before the company becomes entitled to them or before any sale thereof made by the said corporation as hereinbefore mentioned shall te d tached from the said debentures or those to be substituted therefor as hereinbefore mentioned and delivered by the trustees to the said corporation as they accrue due.

(i) THAT in the event of the company becom ing entitled to the said debentures or those to be substituted therefor as here:nafter mentioned or any portion thereof the company shall also pay to the said corporation in cash any interest accrued between the maturity of the last half-yearly coupons for interest and the date of the company becoming entitled, it being the intention that except in the case of a sale as aforesaid interest shall run only from the date of the company becoming entitled. (j) THAT the said corporation either by means of a sale of the said debentures or those to be substituted therefor as hereinafter mentioned shall have the right to substitute cash in lieu thereof at any time prior to the delivery of any portion to the company and

thereupon they shall be handed back by the trustees to the said corporation. (k) THAT the said debentures or those to be substituted therefor as hereinbefore mentioned shall be accepted by the company at the par value therefor.

(1) That the said corporation at any time before the delivery of any portion of the aid debentures to the company on being authorized so to do as hereinafter mentioned shall substitute therefor other debentures of the same face amount payable in the period of forty years, and thereupon the said debentures and coupons and any cash received on account thereof shall be handed back by the trustees to the said corporation to be cancelled and lawfully disposed of, and the passage of this By-Law by the ratepayers of the said city is hereby declared to be an authority to the city council thereof to peticion the Legislature of the Province of Ontario for the passage of an Act authorizing the said city council to pass without further assent from the ratepayers a By-Law for the issue of debentures payable within forty years for the same amount and for the same purposes as the debentures here n authorized, and to be substituted therefor as hereinbefore mentioned.

(m) THAT the company shall give the said trustees fifteen days notice in writing of the tures or either of them. (n) THAT the Kingston, Smith's Falls and

Ottawa Railway Company, the Grand Trunk Railway Company and the Kingston and Pembroke Railway Company wherever mentioned in this By-Law shall be taken to include their successors, lessees and assigns and any Rail way Company with which they, or either of them respectively, may amalgamate or form a

NOTICE.

TAKE NOTICE that the above is a true copy of a proposed By-Law which has been taken into consideration, and which will be finally passed by the council of the Corporation of the City of Kingston in the event of the assent of the electors being obtained thereto after one month from the first publication of the same in the Kingston Daily News, the Kingston Daily Whig and the Canadian Freeman, newspapers of this city, the date of which first publication of the said By-Law is the 7th day of November, 1888, and that at the hour, day and places therein fixed for taking the votes of the electors the polls will be held. M. FLANAGAN.

City Clerk's Office. Kingston, 7th November, 1888.

OITAL HALLOO

City Clerk.

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