

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1847. Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1847.

10 Victoria – Chapter 21

An Act to amend and extend the provisions of an Act, intituled *An Act to incorporate the New Brunswick Railway Company*. Passed 12th March 1847.

I. Whereas in and by the second section of an Act passed in the ninth year of the Reign of Her Majesty, intituled *An Act to incorporate the New Brunswick Railway Company*, it was enacted, that the Capital Stock of the Company thereby established should be one million five hundred thousand pounds, to be paid in current money of this Province, the whole amount of the each, which shares should be vested in the persons therein before named, and such other persons as might take shares in the said Company, their successors or assigns, and upon taking such shares they should deposit in the British North American Bank in England, or in any of its Branches in the British North American Colonies, the sum of two pounds ten shillings per share, current money aforesaid: And whereas it is expedient to amend such provisions in regard to the place of payment of the deposits by persons taking shares in the said Company in London or elsewhere in Great Britain and the Colonies; Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That all persons taking shares as aforesaid, shall or may deposit the said sum of two pounds ten shillings per share, either in the Bank of British North American Colonies, as the Directors, or the Committee or Committees corresponding with them in Great Britain, or in any of the said Colonies, shall from time to time appoint for that purpose.

II. And whereas by the forty first section of the before recited Act, it was enacted, that whenever it should be necessary to move any of the Officers or Soldiers of Her Majesty's Forces of the Line, Ordnance Corps, Marines, Militia, or the Police Force, by the said Railway, or any of its Branches, the Directors thereof should and were thereby required to permit such forces respectively, with their baggage, stores, arms, ammunition, and other necessaries and things, to be conveyed at the usual hours of starting, at such prices, or upon such conditions as might from time to time be contracted for between the Secretary at War, or Officer duly authorized for that purpose, and the said company, for the conveyance of such Forces, on the production of a route or order for their conveyance, signed by the proper authorities: And whereas it is expedient to amend such provisions of the said forty first section of the said recited Act, in regard to the times of starting such trains by the said Railway, or any of its Branches as aforesaid; Be it therefore enacted, That the Directors of the said Railway shall be bound to provide such conveyance as aforesaid for the said Military, Marine and Police Forces, at such time or times (whether the said shall be the usual hours of starting trains or not) as shall be required or appointed by any Officer duly authorized for that purpose, and with the whole resources of the Company, if necessary.

III. And whereas it is expedient that the Directors of the said Company should be enabled to vary the Tolls upon the said Railway, so as to accommodate them to the circumstance of the traffic; but that such power of varying should not be used for the purpose of prejudicing or favouring particular parties, or for the purpose of collusively and fairly creating a monopoly either in the

hands of the Company or of particular parties; Be it enacted therefore, That the Directors of the said Company, subject to the provisions and limitations herein, and in the said Act passed in the ninth year of the Reign of Her present Majesty, intituled *An Act to incorporate the New Brunswick Railway Company*, contained, shall be and they are hereby authorized from time to time to alter or vary the Tolls by the said Act authorized to be taken, to be taken either upon the whole or any particular portions of the said Railway or its Branches, as they shall think fit; provided that all such Tolls be at all times charged equally to all persons, and after the same rate, whether per ton, per mile, or otherwise, in respect of all passengers and of all goods or carriages of the same description, and conveyed or propelled by a like carriage or engine, passing only over the same portion of the line of Railway under the same circumstances; and no reduction or advance in any such Toll shall be made either directly or indirectly in favour of or against any particular Company or person travelling upon or using the Railway.

IV. And be it enacted, That no bye laws, orders, rules and regulations, made under and by virtue of the power and authority of the hereinbefore recited Act shall be of any force or effect until one calendar month after a true copy of such bye laws, orders, rules and regulations, certified under the hand of the President of the said Company, shall have been laid before the Lieutenant Governor or Administrator of the Government in this Province for the time being, for his approval or disapproval, unless the Lieutenant Governor or Administrator of the Government shall, before such period, signify his approbation thereof.