

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1866. Fredericton, NB: G. E. Fenety, Printer to the Queen's Most Excellent Majesty, 1866.

29 Victoria – Chapter 32 (Session 2)

An Act to incorporate the Miramichi, Richibucto, and Shediac Branch Railway Company. Passed 9th July, 1866.

Section.

1. Company incorporated.
2. Capital Stock.
3. First meeting, by whom called.
4. Qualification of voters at first meeting.
5. Toll, by whom established.
6. Joing stock alone liable.
7. Directors may impose charges on Railway.

Section.

8. Suit against Company to commence within six months.
9. Lands reserved for Naval and Military purposes not to be entered without consent of Her Majesty.
10. Railway to be commenced within four years.

Be it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. That the Honorable Peter Mitchell, Richard Hutchison, Esquire, the Honorable James Davidson, the Honorable John Ferguson, the Honorable William Hamilton, the Honorable David Wark, John M. Johnson, George Kerr, Richard Sutton, Honorable Edward Williston, Honorable John M'Millan, Lestock P. W. DesBrisay, William S. Caie, William J. Gilbert, John Meahan, Alexander C. DesBrisay, Robert Young, George H. Russell, John Harley, John Noonan, Thomas C. Allen, William M. Kelley, James Fish, Allan A. Davidson, George Burchell, Jacob C. Gough, William Muirhead, John Pallan, Alexander M'Laggan, David Ritchie, John Rundle, Jesse G. Harding, William Parks, Robert R. Call, and James Fallen, their associates, successors, and assigns, be and they are hereby made and constituted a body politic and corporate, by the name of "The Miramichi, Richibucto and Shediac Branch Railway Company," and by that name shall have all the powers and privileges made incident to a Corporation by Act of Assembly in this Province, for the purpose of constructing a line of Railway from the European and North American Railway to the Miramichi River, in the County of Northumberland, and for the providing the necessary station houses, and rolling and other stock, and appliances thereof, and for the maintaining, managing and working the same.

2. The capital stock of the said Corporation shall be three millions of dollars, to be divided into thirty thousand shares of one hundred dollars each, with power to increase to five millions of dollars by additional shares, or increasing the amount of each share.

3. The first meeting of the said Corporation shall be called by the Honorable Peter Mitchell, or in case of neglect, or refusal, or death, by any two of the Corporators, by

giving at least fifteen days notice of the time and place of such meeting, in some Newspaper published in the Town of Chatham or Newcastle in said County.

4. No person shall be entitled to attend or vote at such first meeting unless he shall have previously deposited in the Commercial Bank Agency at Newcastle, or in some other incorporated Bank in this Province, to the credit of the Corporation, five per cent. on the amount of stock which he claims to hold, and produce and file with the Secretary of the said meeting the deposit receipt thereof.
5. The Directors of the said Company may from time to time fix, establish and impose a toll upon all passengers and property of every description, which may be conveyed or transported by the said Corporation on the said road.
6. The joint stock and property of the said Company shall alone be responsible for the debts and engagements of the said Company.
7. The Directors of the said Company may from time to time, in such manner as they see fit, subject and charge the said Railroad, and the lands, goods, effects and property, toll, income and profits of the said Company, or any guarantee of interest, grant of money or land, or other aid, benefit or advantage, or such part thereof as they may think fit; and every such charge shall be as binding and obligatory on the Company as if the provisions therefor were herein expressly enacted.
8. No suit or action at law or in equity shall be brought or prosecuted by any person or persons for any act, matter or thing done under the authority of this Act, unless such suit or action be commenced within six months next after the offence shall have been committed, or cause of action accrued; and the defendant or defendants in such suit or action may plead the general issue, and give this Act and the special matter in evidence under the said plea, and that the same was done in pursuance and by authority of this Act.
9. Nothing in this Act contained shall authorize the said Company or their contractors to enter upon any lands reserved for Naval or Military purposes, without the consent of Her Majesty.
10. Unless the construction of the Railway shall be commenced, *bona fide*, within five years from the passing of this Act, and completed within eight years from the passing of this Act, so as to be used for the conveyance and carriage of passengers, goods and chattels, then this Act, and the powers and privileges herein granted, shall cease and become void.