

General in Council, nor until after two weekly publications in the *Canada Gazette* of the By-Law establishing such Tolls, and of the Order in Council approving thereof: and that every By-Law of the said Company fixing and regulating Tolls shall be subject to revision by the Governor in Council from time to time, after approval thereof as aforesaid, and after an Order in Council reducing the Tolls fixed and regulated by any By-Law, shall have been twice published in the *Canada Gazette*, the Tolls mentioned in such Order in Council shall be substituted for those mentioned in such By-Law, so long as such Order in Council remains unrevoked.

VI. And be it enacted, That the Act above cited and all the provisions thereof shall (except only in so far as they may be inapplicable or inconsistent with the provisions of this Act) apply to the branch Rail-Road and other works which the said Company are hereby empowered to construct, and to the lands required for the same, as fully as to the branch Rail-Road and other works mentioned in the said Act, or as they would do if the branch Rail-Road and other works mentioned in this Act, formed part of those which the Company are empowered to construct by the said Act; and that, subject to the provisions of this Act and of the Act last above cited, the provisions of the Act incorporating the said Company, passed in the second year of the Reign of King William the Fourth, and intituled, *An Act for making a Rail-Road from Lake Champlain to the River St. Lawrence*, as modified by the subsequent Act and Ordinance, amending the same, shall apply to the branch Rail-Road and works to be constructed under this Act, which shall, when completed, form part of, and together with the present Rail-Road, shall be and be called "The Champlain and St. Lawrence Rail-Road."

Provisions of certain Acts to extend to their works, authorized by this Act.

2 W. 4. c. 58.

VII. And be it enacted, That for and notwithstanding any thing in the said Act incorporating the said Company, or in any other Act thereunto relating, any person being the proprietor of the requisite amount of the Stock of the said Company, and otherwise qualified to become a Director thereof, may be elected and be such Director, although he be not a subject of Her Majesty by birth, naturalization or otherwise.

Aliens may be Directors.

VIII. And be it enacted, That nothing herein contained shall be construed to except the said branch Road and other works mentioned in this Act, from the provisions of any General Act relating to Rail-ways which may be passed during the present or any future Session of Parliament; and that no further provisions which the Legislature may hereafter make with regard to the form, and times and details of the accounts to be laid before the Legislature by the Company, or the mode of attesting or rendering the same, shall be deemed an infringement of the privileges of the Company.

Branch, &c. to be subject to any general Act.

IX. And be it enacted, That the said Company shall construct, and complete the said branch Rail-Road within three years from the passing of this Act, and shall make and file the Plan and Book of Reference required with regard to the same, within one year from the passing hereof, in the manner prescribed by the seventh section of the said Act, passed in the Session held in the thirteenth and fourteenth years of Her Majesty's Reign, otherwise their right to make such branch Rail-Road shall cease.

Branch Road and Bridge to be completed within a certain time.

X. And be it enacted, That this Act shall be a Public Act.

Public Act.

### C A P. C X L V .

An Act to amend and extend the Act incorporating the Montreal and Vermont Junction Rail-way Company.

[ 30th August, 1851.]

**W**HEREAS in and by the provisions of the Act of this Province passed in the twelfth year of Her Majesty's Reign, intituled, *An Act to incorporate the Montreal and Vermont Junction Rail-way Company*, it is enacted that the said Company are authorized to construct a line of Rail-way from the River Saint Lawrence, opposite Montreal, to such point at the Province Line near Highgate, Vermont, as the Company may deem expedient, for forming a junction with a Rail-way from Burlington, Vermont; And whereas the said Line takes its course through the Township of Stanbridge, in the County of Missisquoi, and it is expedient, in addition to the said Line, to authorize the

Preamble.

the

the said Company to construct a Branch Line, extending from Stanbridge aforesaid, through the Counties of Missisquoi and Shefford, in such course as will enable the said Company to connect their Line from Stanbridge aforesaid, with the Passumpsick and Connecticut River Rail-road at the Province Line, bordering on the Counties of Franklin and Orleans, in the State of Vermont: 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 said Montreal and Vermont Junction Rail-way Company shall, within six years from the passing of this Act, and under the provisions, conditions and limitations in the first recited Act mentioned, have power and authority to construct a Branch Line of Rail-way to connect the Montreal and Vermont Junction Rail-way Company with the Passumpsick and Connecticut River Rail-road and the Missisquoi Valley Rail-road, by such favorable and direct route as the said Company may select, from the Main Line of the Montreal and Vermont Junction Rail-way, at some point in the Township of Stanbridge, in the County of Missisquoi aforesaid, and extending through the Parish of Saint Armand, in the said County, and also through the Valley of the Missisquoi River, in the Township of Sutton in the said County, and in the Township of Potten in the County of Shefford, and touching the Province Line at the said Counties of Franklin and Orleans.

Location.

Authorized to increase Capital Stock.

II. And be it enacted, That for the purpose of making and constructing the said Branch Line of Rail-way, it shall be competent for the said Company to increase the amount of the Capital authorized to be raised by the said hereinbefore recited Act, by the amount or sum of Two Hundred Thousand Pounds currency, which shall be subscribed and raised, and divided into shares, in the same manner and of the same amount as the Capital of the said Company in the said Act.

How the course of the Railway between the River Richelieu and the Province line may be changed.

III. And be it enacted, That it shall be lawful for any five or more proprietors of shares in the said undertaking, holding together One Hundred Shares at least, who may be desirous of changing either wholly or in part the course and direction of the said intended Rail-way between the River Richelieu and the Province Line, to cause a Special General Meeting of Proprietors to be held at Bedford, in the County of Missisquoi, for that purpose, at any hour on any day not being a Sunday or Holiday, and in any public house or place designated in a public notice of such meeting, inserted at least once a week in some newspaper published in the English language, and at least once a week in some newspaper published in the French language in the District of Montreal, and also legibly written or printed in both languages, and posted up at the church doors of Saint Armand West and Stanbridge respectively, during at least four weeks next preceding such day; and if at such meeting it shall be decided by a majority of the votes of those present either in person or by proxy, that such change is desirable for the interests of the Company, it shall be lawful for the said Company to make such change accordingly: Provided always, that the votes of the Proprietors shall be reckoned, and the majority ascertained, at the said Special General Meeting, and the same shall be in every respect not herein specially mentioned and provided for, regulated and governed according to the provisions in the said Act contained with reference to Special General Meetings of the said Proprietors.

Proviso.

Surveys and levels to be made in the above case.

IV. And be it enacted, That in the event of any such total or partial change as aforesaid being decided upon as aforesaid, the said Company may, by some Sworn Land Surveyor for Lower Canada, and by an Engineer or Engineers by them to be appointed, cause to be taken and made surveys and levels of the lands through which so much of the said intended Rail-way is to be carried in pursuance of such change, together with a Map or Plan of so much of the said intended Rail-way and of the new course and direction thereof, and of the said lands through which the same is to pass as aforesaid, and the lands intended to be taken as aforesaid for the several purposes authorized

Map or Plan.

by the said first cited Act and by this Act, as far as then ascertained, and also a Book of Reference for so much of the said intended Rail-way, in which shall be set forth a description of the said several lands and the names of the owners, occupiers and proprietors thereof, so far as they can be ascertained by the said Company, and in which shall be contained every thing necessary for the right understanding of such Map or Plan; which said Map or Plan and Book of Reference shall be examined and certified by the person performing the duties formerly assigned to the Surveyor-General or his Deputies, who shall deposit copies thereof in the office of the Prothonotary of the Superior Court in and for the District of Montreal, and also in the office of the Secretary of the Province, and shall also deliver one copy thereof to the said Company, and all persons shall have liberty to resort to such copies so to be deposited as aforesaid and to make extracts or copies therefrom as occasion may require, paying to the said Secretary of the Province or Prothonotary at the rate of Six Pence current money of this Province for every hundred words; and the said triplicates of the said Map or Plan and Book of Reference so certified, and a true copy or copies thereof, certified by the Secretary of the Province or by the Prothonotary of the Superior Court in and for the said District of Montreal, shall severally be, and are hereby declared to be, good evidence in all Courts of Law and elsewhere.

Book of Reference.

Copies to be filed.

Extracts may be made, &amp;c.

To be good evidence.

V. And be it enacted, That the said Company, in making the said intended Rail-way, in the event of the course and direction of so much thereof as aforesaid being either wholly or partially changed as aforesaid, shall not deviate more than a mile from the line of the Rail-way, or from the places assigned to the several works of the Company in the Map or Plan and Book of Reference deposited as aforesaid, nor cut, carry, place, lay down or convey the said Rail-way into, through, across, under or over any part of the lands or grounds not shewn and mentioned in such Map or Plan and Book of Reference as being required for such purpose, or as being within one mile of the said line and of the places assigned therein to the said works respectively, (save in such instances as are herein or in the said Act specially provided for) without the consent of the party or parties who could under the provisions of the said Act and this Act convey such lands.

Certain powers conferred, in the event of the above change taking place.

VI. And be it enacted, That any Municipal Corporation through which the said Montreal and Vermont Junction Rail-way, or the said branch shall be carried, or which shall be interested therein, shall have power to subscribe for any number of Shares in the Stock of, or lend to or guarantee the payment of any sum of money borrowed by the Company from any Corporation or person, or to endorse or guarantee the payment of any Debentures to be issued by the Company for money by them borrowed, and shall have power to assess and levy from time to time upon the rateable property of the Municipality, a sufficient sum for them to discharge the debt or engagement so contracted, and for the like purpose to issue Debentures, payable at such times, and for such sums respectively, not less than Five Pounds currency, and bearing or not bearing interest, as such Municipality may think meet, provided that the said interest shall not exceed eight per centum per annum.

Municipal Corporations may subscribe for shares, lend money to the Company, &amp;c.

VII. And be it enacted, That any such Debenture issued, endorsed or guaranteed, shall be valid and binding upon such Municipal Corporation, if signed and endorsed, and countersigned by such Person or Officer, and in such manner and form as shall be directed by any By-Law of the Corporation, and the Corporation Seal thereto shall not be necessary, or the observance of any other form with regard to the Debenture, than such as shall be directed in such By-Law as aforesaid.

Debentures to be in the form prescribed by By-law.

VIII. And be it enacted, That no such Municipal Corporation shall subscribe for Stock, or incur any debt or liability under this Act, or the first cited Act, unless and until a By-Law to that effect shall have been duly made and adopted with the consent first had of a majority of the qualified Electors of the Municipality to be ascertained in such manner as shall be determined by the said By-Law, after public advertisement thereof, containing a copy of such proposed By-Law, inserted at least four times in any Newspaper printed within the limits of any such Municipality, or if none be printed therein,

As to the By-law to be made prior to corporation taking shares, or incurring any debt, &amp;c.

therein, then in some one or more Newspapers printed in the City of Montreal, and circulated in the said Municipality.

The Mayor, &c., to be *ex officio* one of the Directors, in a certain case.

IX. And be it enacted, That the Mayor or other Officer, being the Head of such Municipal Corporation, subscribing for and holding Stock in the said Company to the amount of Five Thousand Pounds currency, or upwards, shall be and continue to be *ex officio* one of the Directors of the said Company, in addition to the number of Directors authorized by the said first cited Act, and shall have the same rights, powers and duties as any of the said Directors of the said Company.

Provisions to be deemed to be incorporated herewith.

X. And be it enacted, That all and every the clauses and provisions of the said hereinbefore recited Act, shall be deemed to form part and be incorporated herewith, and shall in every respect apply hereto as fully as if the said recited Act and the provisions thereof had been at length inserted into and contained herein, save in the particulars in this Act contained; and save and except the Map or Plan and Book of Reference herein mentioned, may be validly made and deposited at any time within one year from the passing of this Act: And further, provided always, that the same tolls shall be payable at the same time and under the same circumstances upon the said Rail-road, constructed in and by the said Acts incorporating the said Company, and upon the said Branch Rail-road established by this Act, so that no undue advantage, privilege, or monopoly may be afforded to any person or class of persons, by any By-laws relating to the Tolls or by reason of the said Tolls.

Exceptions.

Proviso.

No tolls to be levied until approved, &c.

XI. And be it enacted, That no Tolls shall be levied or taken by the said Company until approved of by the Governor in Council, nor until after two weekly publications in the *Canada Gazette*, of the By-law establishing such Tolls, and of the Order in Council approving thereof.

By laws relating to tolls to be subject to revision—others may be substituted by an order in Council.

XII. And be it enacted, That every By-law fixing and regulating Tolls, shall be subject to revision by the Governor in Council, from time to time, after approval thereof as aforesaid; and after an Order in Council reducing the Tolls fixed and regulated by any By-law shall have been twice published in the *Canada Gazette*, the Tolls mentioned in such Order in Council shall be substituted for those mentioned in such By-law, so long as such Order in Council remains unrevoked.

Public Act.

XIII. And be it enacted, That this Act shall be deemed a Public Act.

CAP. CXLVI.

An Act to incorporate "The Kingston and Toronto Rail-way Company."

[30th August, 1851.]

Preamble.

**W**HEREAS it is desirable, in carrying out the design of a main trunk line of Rail-way through the Province of Canada, that a Company should be incorporated for the purpose of constructing so much of the said Rail-way as may extend from the City of Kingston to the City of Toronto; And whereas Francis Manning Hill, Mayor of the City of Kingston, David Roblin, Warden of the United Counties of Frontenac, Lennox and Addington, George Benjamin, Warden of the County of Hastings, William Hamilton Ponton, Mayor of the Town of Belleville, Asa Allworth Burnham, Warden of the United Counties of Northumberland and Durham, William Weller, Mayor of the Town of Cobourg, James Smith, Mayor of the Town of Port Hope, and John George Bowes, Mayor of the City of Toronto, have petitioned for the passing of a law incorporating a Joint Stock Company for the purpose of constructing a single or double track iron Rail-road or way, to extend from Kingston to Toronto aforesaid: 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