

CAP. CCXXXIX.

An Act to amend and extend the Charter of *The Woodstock and Lake Erie Railway and Harbour Company*.

[Assented to 14th June, 1853.]

Preamble.

WHEREAS the Woodstock and Lake Erie Railway and Harbour Company have prayed that the time allowed them by their Act of incorporation to commence and complete their Railway and other works may be extended, that their capital may be increased, that they may be allowed to extend their Road to Dunville, and that certain other amendments may be made to their said Act of incorporation, to facilitate them in carrying out their undertaking, and it is expedient to grant their prayer: 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 for and notwithstanding any thing in the twenty-ninth Section of the Act passed in the Session held in the tenth and eleventh years of Her Majesty's Reign, and intituled, *An Act to incorporate the Woodstock and Lake Erie Railway and Harbour Company*, the said Act shall be and is hereby declared to be and shall continue to be in full force and effect, provided the said Woodstock and Lake Erie Railway and Harbour Company shall commence the construction of the works therein mentioned within two years from the passing of this Act, and shall complete the same and the extension thereof hereinafter authorized within ten years from the same time, and if they be not commenced within the period first aforesaid, the said Act and this Act and the powers thereby granted shall cease and determine, and if the said works be not so completed within the period secondly mentioned, then the said Act and this Act and the powers thereby granted, shall cease and determine as regards such part of the said works as shall not then be completed and open to the use of the Public, but shall remain in force as to such parts of the said works as shall then be completed and open as aforesaid.

Powers given by Act 10 & 11 V. c. 117, continued for a certain time, on certain conditions.

Extension of Railway authorized, and powers of Company, &c., to apply to such extension.

II. And be it enacted, That the said Company shall have full power and authority to extend their Railway from Port Dover (or from Simcoe, or from any point between those places) to Dunville in the County of Haldimand, and to such extension all the provisions of the said Act and of this Act, and all the powers thereby or hereby granted to the said Company, shall extend and apply as fully to all intents and purposes whatever as to the Railway in the said Act mentioned, or as they could do if the said extension had been mentioned in the said Act as
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part of the Railway the said Company were thereby authorized to construct: Provided always, that such Company shall be compelled to extend their Road from Woodstock to Port Dover and construct the same at the same time with the extension thereof to Durville. Proviso.

III. And be it enacted, That the Capital Stock of the said Company may be equal to but shall not exceed the sum of Five Hundred Thousand Pounds currency, divided into shares of Five Pounds each; any thing in the twenty-third section or in any other part of the said Act to the contrary notwithstanding, and such increased Capital Stock may be raised and dealt with in like manner as the Capital Stock mentioned in the said Act, and under the provisions of the said Act as hereby amended. Increase of Capital provided for.

IV. And be it enacted, That the eighteenth Section of the Railway Clauses Consolidation Act, except the paragraph or subdivision thereof marked *Thirdly*, shall be and is hereby incorporated with the Act hereby amended and with this Act, and shall extend and apply as well to any subscription by any Municipality to the Stock of the said Company before the passing of this Act as to such subscriptions after the passing thereof: Provided, that if the amount of Stock held by any Municipality be not sufficient to entitle the Mayor, Warden or Reeve of such Municipality to be an *ex officio* Director of the said Company, then such person or persons as shall be thereunto from time to time empowered by By-law of the Municipality, may vote upon such Stock in like manner as private Shareholders; And provided also, that it shall be lawful for the Municipality of the Township of Woodhouse, by any By-law to be passed by the Council thereof within two months from the passing of this Act, to withdraw the subscription of the said Municipality before the passing of this Act, to the stock of the said Company, in which case such subscription shall be void and of no effect, but if such By-law be not passed within the said period, then the said subscription shall be valid and shall bind the said Municipality: Provided further, that any Stockholder in the said Company who may have subscribed for such Stock before the passing of this Act may, within the said period of two months from the passing of this Act, withdraw from the said Company by a written request to the Secretary of the Company to that effect, and thereupon such Stockholder shall be discharged from any further liability on account of the said Company, and shall receive back any sum or sums of money he may have paid to the Company on account of such stock. Sect. 18 of 14 & 15 V. c. 51, to apply to Company, except the third paragraph.

Proviso.

Proviso: Municipality of Port Dover may withdraw their subscription within a certain time.

Proviso: Any subscriber may withdraw within a certain time.

V. And be it enacted, That so much of the eighteenth Section of the Act first above cited as requires that each of the Directors of the said Company shall be a Stockholder to the extent of one hundred shares, shall be repealed; and the Directors of the Company shall be chosen from among the Stockholders holding Stock to the extent of twenty-five shares each, Sect. 18 of 10 & 11 V. c. 117 amended as regards the number and qualification of Directors.

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which shall be the qualification of a Director, except always, that it shall not be necessary that any *ex officio* Director should be the holder of any Stock of the said Company: and in addition to the number of Directors mentioned in the said Act, the Board of Directors shall include also the *ex officio* Directors mentioned in the next preceding Section, who shall respectively have all and every the powers vested in Directors by the said Act.

Certain clauses of 14 & 15 V. c. 51 incorporated with this Act.

VI. And be it enacted, That the several Clauses of the Railway Clauses Consolidation Act, with respect to "Powers," "Tolls," "Actions for Indemnity and Fines and Penalties and their prosecution," "Working of the Railway," and "General provisions," shall be and are hereby incorporated with the Act hereby amended, and with this Act; and so much of the said Act as may be inconsistent with any of the provisions of the said Clauses of the Railway Clauses Consolidation Act, shall be and is hereby repealed.

Public Act.

VII. And be it enacted, That this Act shall be held to be a Public Act.

C A P . C C X L .

An Act to incorporate *The Perth and Kemptville Railway Company.*

[Assented to 14th June, 1853.]

Preamble.

WHEREAS the construction of a Railway from the Town of Perth, in the County of Lanark, to the Bytown and Prescott Railway, at or near Kemptville, in the County of Grenville, with power to extend the said Railway westward to the Town of Belleville, or to the Town of Peterborough, must conduce greatly to the benefit of the inhabitants residing on the line of such Railway and in the surrounding country, and greatly contribute to increase the trade and revenue of this Province; And whereas R. Knap, R. Kernahan, R. Shaw, R. E. Matheson, J. Doran, H. Burret, A. Merrick, S. H. Merrick, J. C. Lonsdale, J. S. French, A. R. Ward, J. S. Archibald, P. Jones, J. Bower, L. Clothier, T. M. Radenhurst, E. H. Whitmarsh, J. L. Read, Stephen Merrick and others, have prayed to be incorporated with the powers requisite for making and maintaining such Railway: 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 R. Knap, R. Kernahan, R. Shaw, R. E. Matheson, J. Doran, H. Burret, A. Merrick, S. H. Merrick, J.

Certain persons incorporated.