

C A P. X L I X .

An Act to extend the provisions of the eighteenth Section of *The Rail-way Clauses Consolidation Act* to the Act incorporating *The Peterborough and Port Hope Rail-way Company*.

[10th November, 1852.]

WHEREAS the Municipal Councils of the Town of Port Hope and of the Townships of Hope and Cavan, in the County of Durham and of the Township of South Monaghan, have by their petitions set forth that they are desirous of subscribing for shares in the stock of *The Peterborough and Port Hope Rail-way Company*, under the provisions of the eighteenth Section of *The Rail-way Clauses Consolidation Act*; but that they have been advised that the provisions of the said Section do not extend to the said Company, inasmuch as the same was incorporated before the passing of *The Rail-way Clauses Consolidation Act* aforesaid, and have prayed that the said provisions and certain other provisions of the said Act may be extended to the Company and the Rail-way to be made by them; And whereas it is expedient to extend the provisions aforesaid to the said Company: 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 ninth Section headed "Powers," the eighteenth Section headed "Municipalities," and the nineteenth Section headed "Shareholders," of *The Rail-way Clauses Consolidation Act*, and all the provisions thereof respectively, shall apply to *The Peterborough and Port Hope Rail-way Company* aforesaid, and the Rail-way authorized to be made by the said Company, and shall be and are hereby incorporated with, and shall make part of the Act of Incorporation or Charter of the said *The Peterborough and Port Hope Rail-way Company*, and such Act of Incorporation or Charter shall be held to be referred to in the said Sections by the expression, "the Special Act," whenever it occurs therein; Provided always, that any Municipality desirous of aiding in the construction of the said Rail-way, shall and may in addition to the powers conferred hereby, be at liberty to do so, by passing a By-law for the purpose, in the manner prescribed by and subject to the provisions of any Act that may be passed during the present Session, to establish a consolidated Municipal Loan Fund for Upper Canada.

Preamble.

Sec. 18 of 14 & 15 V. c. 51, extended to the said Company and to Companies incorporated before the passing of the said Act.

Declaratory
clause as to
commence-
ment of this
Railway.

II. And whereas doubts might arise as to whether the proceedings had and things done by the Peterborough and Port Hope Rail-way Company, amount to a commencement of their Rail-way within the meaning of the provisions hereinafter referred to; for the avoidance of such doubts—Be it declared and enacted, that the period limited by the thirty-first section of the Act passed by the Legislative Assembly and Legislative Council of this Province, in the ninth year of Her Majesty's Reign, but assented to by Her Majesty in Council in the tenth year of Her Reign, and intituled, *An Act to incorporate the Peterborough and Port Hope Rail-way Company*, as that within which the Rail-way therein mentioned was to be commenced, shall be and is hereby extended to the term of four years from the passing of this Act, and the said Act shall be construed and have effect as if the said period had been limited for the purpose aforesaid, by the said section, instead of the period of four years from the passing of the said Act, as therein contained.

Meeting to
elect Direct-
ors.

III. And be it enacted, That on the second Monday in January next, a Meeting of the Stockholders shall be held at Graham's Inn, in the Township of Cavan, who in the manner in the said Act provided, shall proceed to elect Nine Directors, who shall elect by ballot, one of their number to be their President, and who shall continue in office until the next Annual Meeting of the Company, and who during such continuance in office, shall discharge the duties of Directors in the same manner as if they had been elected at the Annual Election.

Place of meet-
ing.

IV. And be it enacted, That the property, affairs and concerns of the said Company shall be managed and conducted at such place as the Directors or a majority of them, shall from time to time agree upon and appoint, any thing in the twentieth section of their Act of Incorporation to the contrary notwithstanding.

C A P. L.

An Act to amend the Charter of the Erie and Ontario Rail-road Company.

[10th November, 1852.]

Preamble.

WHEREAS the Erie and Ontario Rail-road Company have by their Petition prayed that the Act passed by the Legislature of the late Province of Upper Canada, in the fifth year of the Reign of his late Majesty King William the Fourth, intituled, *An Act to incorporate certain persons therein mentioned under the name and title of the Erie and Ontario Rail-road Company*, may be amended, so as to empower the said Company in their discretion to alter the route of their present road, and to extend the same to the Niagara River at or near the Town of Niagara, and to increase the Capital Stock of the said

Act of U. C.
5 W. 4. c. 19.