

Company, in the sum of fifty thousand pounds, issuing debentures for that amount, and securing payment of the same, agreed to take Stock in the said Company to the amount of fifty thousand pounds, and authorized the Warden of the said County forthwith thereafter to take and subscribe for such Stock on behalf and in the name of the said Council, and for payment thereof, to issue debentures payable in twenty years for such amount; And whereas in pursuance of such By-law, the said Warden did take and duly subscribe for the said fifty thousand pounds of Stock in the books of the Company, and did issue debentures to the said amount, and in compliance with the terms of the said By-law issued from time to time to the said Company, the said fifty thousand pounds of debentures; And whereas doubts exist as to the form of the said By-law, and it is desirable to set at rest such doubts: Be it enacted, That the said By-law shall not be liable to be quashed or annulled for any want of form or otherwise, but the same shall be held and taken to be a good and valid By-law to all intents and purposes whatsoever.

Part of Act cited, repealed.

XIII. And be it enacted, That so much of the Act cited in the preamble of this Act, as shall be found to be inconsistent with the provisions of this Act, shall be and is hereby repealed.

C A P . L I I .

An Act to amend the Act incorporating *The Bytown and Prescott Rail-way Company*.

[10th November, 1852.]

WHEREAS it is necessary and expedient to amend the Act passed in the Session held in the thirteenth and fourteenth years of Her Majesty's Reign, and intituled, *An Act for the Incorporation of a Company to construct a Rail-road between Bytown and Prescott*: 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enacted by the authority of the same, That the sixth Section of the said first recited Act, be and the same is hereby repealed.

Sect. 6th of Act 13 & 14 Vic., c. 132, repealed.

Bridges carrying Rail-way over or across any highway to be 20 feet wide and 12 feet high.

II. And be it enacted, That the space of the arch of any bridge erected for carrying the Bytown and Prescott Rail-way over or across any highway, shall at all times be and be continued of the open and clear breadth and space under such arch of not less than twenty feet, and of a height from the surface of such highway to the centre of such arch, of not less than twelve feet, and the descent under any such bridge shall not exceed one foot in twenty feet.

III.

III. And be it enacted, That for the enregistrement of the deeds and conveyances of the lands conveyed to *The Bytown and Prescott Rail-way Company*, for the purposes of the said Rail-way, Memorials shall not be necessary, but a book or books of copies of such deeds or conveyances shall be made by the said Company, and such copies of such deeds or conveyances of lands shall be deposited in the Registry Office of the County in which any such lands are situated, and the Registers are hereby required to receive and preserve such copies as records of the enregistrement of all such deeds and conveyances respectively, and the Registers are also required to compare such copies with the original deeds or conveyances, and to certify upon each of such original deeds or conveyances that a copy thereof is duly deposited of record in the office as required by this Act, and such enregistrement shall be to all intents and purposes good and sufficient in law, notwithstanding any thing to the contrary thereof in anywise contained in any Statute of this Province respecting the enregistrement of deeds or conveyances of lands; and such Book shall be considered as the property of the County with whose Register it is deposited, and shall be called the Register Book of Titles of the Bytown and Prescott Rail-way Company, and every Register shall make an entry in the Index of the Register Book for each Township in which any land may lie, whereof the deed to such Company may be registered in such Book as aforesaid, and thereby refer to the page in such last mentioned Book where the said Deed is registered, in the same way as if it had been registered in the Register Book of such Township: Provided always, That the Copies of all such Deeds as contained in such Book, shall be proved on Oath by a subscribing witness of each Deed, a copy of which is inscribed in such Book, and in the same manner as Memorials are now proved, and the usual fees paid for the same.

Enregistrement of Deeds to be by depositing a book or books of copies thereof with the County Registrars.

Originals to be certified by Registrars, &c.

Such enregistrement good in law

Proviso.

IV. And be it enacted, That the Board of Directors of the said Company may employ one or more of their Directors, as paid Director or Directors.

Paid Directors

V. And be it enacted, That the said Company shall have power to become parties to promissory notes or bills of exchange, for sums not less than twenty-five pounds, and any such promissory notes made or endorsed, and any such bill of exchange, drawn, accepted or endorsed by the President of the Company, or the Vice-President, and countersigned by the Secretary and Treasurer as such, after the passing of this Act, shall be presumed to have been properly made, drawn and accepted or endorsed, as the case may be, for the Company, until the contrary be shewn; and in no case shall it be necessary to have the seal of the Company affixed to any such bill of exchange or promissory note, nor shall the President, Vice-President or the Secretary or Treasurer of the Company, so making, drawing, accepting or endorsing any such promissory note or bill of exchange, be thereby subjected individually to any liability whatever; Provided always, that nothing in this clause shall be construed to authorize the said Company, to issue any note payable to bearer,

Company may become party to promissory notes and bills of exchange.

Proviso.

Notes not to be payable to bearer nor to circulate as money.

bearer, or any note intended to be circulated as money, or as notes of a Bank; and provided also, that nothing in this Section shall be construed either to impair, strengthen or otherwise affect the rights of any person or persons holding bonds, bills of exchange or promissory notes, executed, made, signed or endorsed before the passing of this Act.

The Company may issue preferential Stock.

VI. And be it enacted, That it shall and may be lawful for the said Company, at any annual or special General Meeting of Shareholders, called in such manner as by law required, to declare that the shares, or any given number of the shares of the Capital Stock of the Company remaining unsubscribed for, shall, on being subscribed for, entitle the holders thereof to a preference in the division of profits, in such manner and to such extent as by such Meeting of Shareholders shall be determined and authorized, and thereupon the Shares to be newly subscribed for, and to be entitled to such preference, shall be distinguished as shares of the new and preferential Stock of the Company, and the Directors of the said Company shall and may thereafter from time to time, and wheresoever in this Province or elsewhere, and under such regulations as they shall deem meet, open a book or books for the receipt of subscriptions for the Shares of the new and preferential Stock of the Company, and subscribers for such Stock and their legal representatives and assigns shall be deemed holders of the Shares so subscribed for, and shall be liable and bound to pay the same according to the conditions of the subscription; but no such holder shall be subject in any way whatsoever for any liability of the said Company, beyond the amount unpaid on his or her Share or Shares subscribed for in such new and preferential Stock of the said Company. And all transfers of the Shares of the Capital Stock of the Company shall express, whether the Shares transferred are Shares of the old Stock or of the new and preferential Stock of the Company.

No individual liability beyond amount of Stock subscribed for.

Directors may make arrangements respecting freight, &c.

VII. And be it enacted, That it shall be lawful for the Directors of the said Company, to make and carry into effect any arrangement which they shall deem meet with any other Rail-way Company respecting the carriage of freight or passengers, or the working of their Rail-way and any other such Rail-way, or respecting the tolls to be charged for the carriage or freight, or passengers thereon.

Directors may alter gauge.

VIII. And be it enacted, That it shall be lawful for the Directors of the said Company, to alter the gauge of the said road if they deem it advisable, to correspond with other roads in the Province.

Public Act.

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