

shall not at any one time be less than the sum of Twenty-Five Thousand Pounds currency.

V. The construction of the said branches shall be commenced within two years and completed within five years after the passing of this Act.

Commencement and completion of Branches.

VI. The registration fee of two shillings and six pence in the said Act of Incorporation mentioned was intended to include, and did and shall include and be held and taken to include the cost as well of the registration in the said Act mentioned, as of the certificate of the same by the Registrar, and no other or further fee shall be payable or claimed or of right be held at any time to be due or payable for such registration and certificate aforesaid.

Registration fee to include certificate.

VII. This Act shall be deemed a Public Act.

Public Act.

C A P . C L X X X V I .

An Act to amend the Acts incorporating the Cobourg and Peterborough Railway Company, and to authorize the construction of a Branch thereof to Marmora.

[Assented to 30th May, 1855.]

WHEREAS a Petition has been presented by the Cobourg and Peterborough Railway Company praying that they may be permitted to construct a Branch thereof to Marmora, and it is expedient to grant such 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, as follows:

Preamble.

I. The said Company and their servants and agents shall have full power under this Act to lay out, construct, make and finish the whole or any part of a double or single iron Railroad, with a flat or heavy rail, or a tram road, at their own cost and charges, from the Marmora Iron Works, in the Township of Marmora, in the County of Hastings, and the ore beds in the Township of Belmont, in the County of Peterborough, to the Main Line of the Cobourg and Peterborough Railway, at such point in the Township of Otonabee, or the Township of Hamilton, as may be found most expedient and economical, and to cross the Rivers intervening at such and so many places as to them shall seem advisable; and to such Branch Line all the provisions of the Acts incorporating the said Company as amended by any subsequent Act or this Act, and all the powers vested

Company empowered to make certain Branches to their Railway.

Company's Acts to apply to such Branches.

vested in the Company by the said Acts shall extend as fully and effectually as to the Main Line of the said Railway.

Capital increased.

To what purposes to be applied.

Proviso :
Books of Subscription to be opened.

Ten per cent. to be paid down.

Proviso : ten per cent. not to be used except for certain purposes.

Proviso :
Heads of Municipalities subscribing to be *ex officio* Directors.

Recital.

II. The Capital Stock of the Company shall be increased to Three Hundred Thousand Pounds currency, to be divided into Thirty Thousand shares of Ten Pounds each, which amount, or a sum sufficient for the construction of the said Railway and its branches, shall be raised by the said Company above named, together with such persons and Corporations as may become subscribers towards such stock : and the said money so raised shall be applied for the purposes of this Act and the said former Acts, and in the manner provided by the said Act incorporating the said Company : Provided always, that the said Company shall cause books of subscription to be opened in the town of Cobourg for thirty days, for receiving the subscriptions of persons willing to become subscribers for the new stock, and for that purpose it shall be their duty, and they are hereby required to give public notice, in one or more newspapers published in the said town, as the majority of the directors may think proper, of the time and places at which such books shall be opened and ready for receiving subscriptions as aforesaid and the persons authorized by them to receive such subscriptions, and the time hereinafter limited for such payment, and every person whose name shall be written in such books as a subscriber to the said undertaking, and shall have paid, within ten days after the closing of the said books, into the Bank of Upper Canada or any of its branches or agencies, ten per centum on the amount of stock so subscribed for, to the credit of the said Company, shall thereby become a member of the said Company, and shall have the same rights and privileges as members of the said Company ; Provided also, and it is hereby enacted, that such ten per cent. shall not be withdrawn from the said Bank, or otherwise applied except for the purposes of the said Railway Company, in the construction of the said branch, or upon the abandonment thereof ; and the said Company shall not proceed with the construction of such branch Railway or Tram road until Capital Stock to the amount of One Hundred and Seventy-five Thousand Pounds, being the amount which it is supposed it will be necessary to raise for the construction of the said road, shall first be subscribed, and ten per centum thereon shall be paid as in this proviso contained ; Provided also, that any municipality taking or holding shares in the said Company to a sufficient amount, shall be entitled to an *ex officio* director therein under the provisions of the Railway Clauses Consolidation Act, but no Head of any Municipal Council, or other Officer or person in behalf thereof, shall be entitled to vote at any election of Directors of the said company, upon or in respect of such stock.

III. And whereas the Capital Stock of the said Company was originally limited to One Hundred Thousand Pounds and notwithstanding

notwithstanding such limitation the Town Council of the Town of Cobourg subscribed for stock in the said Company for the sum of One Hundred and Twenty-five Thousand Pounds besides subscriptions to the amount of Four Thousand Pounds or thereabout, of stock taken and subscribed by private individuals, and a question may arise as to the legality of the subscription of stock by the said Town Council to the extent of fifty thousand pounds subscribed under the last two By-laws passed by such Council, and as to the validity of the two last mentioned By-laws; And whereas, it is expedient to remove any doubts that may exist: Be it therefore enacted, that the said By-laws are and they are hereby declared to be legal and binding and effectual as if such Capital Stock of the said Company had not been limited as aforesaid.

Certain By-laws of Cobourg confirmed.

IV. It shall be lawful for the Directors of the said Company to make and carry into effect any arrangements which they shall deem meet with any other Railway Company, or Steamboat Company, respecting the carriage of freight or passengers, or the working of their Railway or other such Railway, or otherwise, or respecting the tolls to be charged for the carriage of freight or passengers thereon.

Company may enter into certain arrangements with other Companies.

V. Upon any Branch Line of feeder other than the line from Cobourg to Peterborough, the Railway may be constructed in a less expensive manner than upon the Main Line of Railway, and the flat rail may be used thereon, or a tram road may be constructed in lieu thereof; any thing in the Railway Clauses Consolidation Act or any other Act to the contrary notwithstanding.

Branch lines may be made in a cheap way.

VI. It shall be lawful for the Directors, if authorized by any general meeting of the Shareholders to be called for the purpose, to enter into and make arrangements with the Directors of any Railway Company now or hereafter to be chartered in any part of this Province, for the union, junction and amalgamation of the said Company with any other Railway Company or for the lease or purchase of the Railway of such other Company, or for the sale or lease of this Railroad to such other Company or individuals or association of persons, by mutual agreement with such Company or persons, and the Capital Stock of any Companies so united shall become the Capital Stock of the Company formed by their union, and be controlled and managed as such.

Company may unite with other Companies.

VII. The gauge of the said Railway shall not be broader or narrower than five feet six inches.

Gauge.

VIII. It shall and may be lawful for the said Company with the sanction of the Governor in Council, to take and appropriate for the use of the said Railway so much of the land covered with the waters of the Rivers Trent, Beaver Creek, Belmont and Marmora Lakes and their tributaries, and of any stream or of their respective beds, as may be found necessary

Power to take beach lands. &c.

for the making, perfecting, or more completely using the same, and thereon to erect any wharves, quays, inclined planes, cranes and other works as the said Company shall deem meet; and whenever the said Railroad shall be carried across the River Trent or any other navigable river, the Company shall leave openings between the piers of their bridge or bridges, viaduct or viaducts over the same, so as to interfere as little as possible with the use and navigation of the said Rivers or Waters as now enjoyed.

Company not to create charges preferable to those already created.

IX. Nothing in this Act or the Act sixteenth Victoria, chapter two hundred and forty-two, section five, shall authorize or empower the said Company to give a preferable charge on the Main Line of Railway of the said Company from Cobourg to Peterborough, over any bond or mortgage or debentures made or issued by the said Company prior to the passing of this Act.

Commencement and completion of Branch.

X. The said Branch Railway shall be commenced within two years, and be completed within five years after the passing of this Act.

Public Act.

XI. This Act shall be deemed a Public Act.

C A P . C L X X X V I I .

An Act further to amend the Act incorporating the Montreal and Vermont Junction Railway Company.

[Assented to 30th May, 1855.]

Preamble.

12 V. c. 178.

14 & 15 V. c. 145.

WHEREAS it has been found necessary to amend 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 Railway Company*, and another Act passed in the session held in the fourteenth and fifteenth years of Her Majesty's Reign, intituled, *An Act to amend and extend the Act incorporating the Montreal and Vermont Junction Railway Company*, and the said Company have petitioned for such amendment: 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, as follows:

The same time allowed for completing the main line as for completing the Branch.

I. The time within which the said Company shall be authorized to construct the said Railway and the Branch thereof, or part of the said main line and the said Branch, shall be and is hereby extended to the period provided by the said last recited Act for the construction of the Branch line thereby authorized,