

agreement shall be valid and binding upon all the parties thereto; any thing to the contrary in this or any other Act of the Parliament of this Province notwithstanding.

III. Such lease as aforesaid shall entitle the person or persons or Company to whom the same is or shall be granted, to the free use of the Railway or portion of Railway comprised therein, and during the continuance of any such lease, all the powers and privileges granted to and which might be otherwise exercised and enjoyed by the said Company or the Directors thereof, or their officers, agents or servants, by virtue of any Act or Acts of the Parliament of this Province, with regard to the possession, enjoyment and management of the Railway, or of the part thereof comprised in such lease, and the tolls to be taken thereon, shall be exercised and enjoyed by the Lessee and the officers and servants of such Lessee, under the same regulations and restrictions as are by any Act or Acts of the Parliament of this Province imposed on the said Company, and their Directors, officers and servants; and such Lessee shall, with respect to that part of the Railway comprised in such lease, be subject to all the obligations by any Act or Acts of the Parliament of this Province imposed on the said Company; <sup>Effect of any such lease as aforesaid.</sup> Provided always, that nothing herein contained shall affect or be construed to affect the corporate powers or existence of the said Company, but that the same shall still be and continue in the same manner as if such lease had not been made, or this Act passed, subject however to the terms and conditions of such lease and of this Act. <sup>Provido:</sup>

IV. The Interpretation Act shall apply to this Act, and this Act shall be deemed a Public Act. <sup>Public Act.</sup>

## C A P . C L X X X I X .

An Act to amend the Act incorporating the Montreal and Bytown Railway Company, and for other purposes.

[Assented to 30th May, 1855.]

**W**HEREAS the Montreal and Bytown Railway Company have petitioned the Legislature for certain amendments to their Act of Incorporation, for the extension of their Railroad and for other purposes hereinafter mentioned, and it is expedient to grant the prayer of their Petition: 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, 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:

I.

Company may construct and work Telegraphs on their line.

I. It shall be lawful for the said Company to construct a line of Telegraph, electric or otherwise, along their said railway and its continuations and branches, or any of them, or any part or section thereof, from and to any point or points thereon, as to the said Company shall seem advisable, and the said Company shall have power to purchase, receive and hold and convey such real estate as may be necessary for the business and operations of the said Telegraph line, and may appoint such officers and agents and make such rules and regulations and by-laws as may be necessary or advisable in the transaction of the business thereof, not inconsistent with the laws of this Province: And the said Company shall have and are hereby invested with all the powers, rights and privileges respecting such Telegraph line and the management thereof, as are now vested in the Electric Telegraph Companies under and by virtue of the fifth, sixth and eleventh Sections of the Act passed in the sixteenth year of Her Majesty's Reign, intituled, *An Act to provide by one general law for the incorporation of Electric Telegraph Companies*; and the tenth and twelfth Sections of the said Act shall apply to the said line in like manner as if the said Company had been an association incorporated under the said last mentioned Act.

Their powers as regards such Telegraphs to be those given under 16 V. c. 10.

Company may lease or dispose of their Railway, &c.

II. The Company may lease their Railway or any part thereof to individuals, private Companies or Associations, or to Corporations, upon such terms and under such conditions therefor as shall be approved of by the Stockholders at a Special General Meeting to be called and held for the purpose, in the manner provided by their Act of Incorporation for calling and holding General Meetings of the Company.

Directors may vote by proxy.

III. Any Director of the said Company residing out of this Province shall have power to act and vote by proxy to be held by another Director, at all meetings of the Directors, and the holder of such proxy shall have the same and equal power and authority as any such Director or Directors would have if personally present.

Bonds of the Company may be converted into Stock.

IV. The holders of the Bonds or Debentures issued or to be issued by the Company, shall have the option of converting the same into shares in the Capital Stock of the Company at par, provided such option be exercised within five years from the issuing of the Bonds; and for the purpose of such conversion, it shall be lawful for the Company to increase its Capital and to create and issue shares or stock in the Company of equal amount.

Stock Register to be kept. Duplicate to be sent to England.

V. The Company shall, from time to time, cause the names of the Stockholders and the amount of their interests respectively, to be entered in a Book to be called "The Stock Register;" a duplicate whereof, authenticated by the signature of the Secretary of the Company, shall be transmitted to and kept

kept by the agent for the time being of the Company in Great Britain, the said agent to be appointed by the British Directors.

VI. Whenever any transfer shall be made in Great Britain of any Share or Stock of the Company, the delivery of the transfer, duly executed, to the agent of the Company for the time being in Great Britain, shall be sufficient to constitute the transferee a Shareholder in the Company in respect of the Share so transferred, and such agent shall monthly transmit an accurate list of all such transfers to the Secretary of the Company in this Province, who shall thereupon make the requisite entries in the register; and the Directors may from time to time make such regulations as they shall think fit for facilitating the transfer and registration of Shares, as well in this Province as elsewhere, and as to the closing of the register of transfers for the purpose of dividend, as they may find expedient, and as to the manner of the conversion of Bonds into Shares; and all such regulations, not being inconsistent with the provisions of the Act of Incorporation and those of the Railways Clause Consolidation Act incorporated therewith, as altered or modified by this Act, shall be valid and binding.

Transfers made in the United Kingdom to be notified to the Secretary in Canada and entered by him.

VII. And whereas it is advisable to limit the issue of Bonds or Debentures authorized to be issued by the Company: Be it enacted, that the Company shall have the power to issue Bonds and Debentures, including any Bonds or Debentures issued previous hereto, to an amount which shall not exceed at any time the sum of five hundred thousand pounds sterling.

Amount of Debentures of the Company limited

VIII. Any party entitled to any Bond or Debenture of the Company on which the whole amount shall have been paid up, may transfer his right and interest therein and in the principal and interest moneys secured, with the coupons or interest warrants attached thereto, without the necessity of a deed or instrument in writing for the purpose of effecting such transfer.

Debentures to be transferable by delivery.

IX. Hereafter the several fees to the Registrars in the said Special Act specially mentioned for the enregistration of Deeds and Contracts and of Debentures, are declared to have been intended, and shall be intended to include not only the fee for the registration, as in the said Special Act mentioned, of the said Deeds, Contracts and Debentures, but also the fee for the Certificates thereof by the said Registrars; any Act or Law to the contrary thereof notwithstanding.

Fee for registration settled.

X. Nothing herein contained shall in any manner or way affect the Debentures of the Company heretofore issued or registered and remaining unpaid or uncanceled, nor any matter or thing in relation thereto, nor any of the rights, privileges, or mortgages, created by such Debentures, but the said Debentures with the said rights, privileges and mortgages shall have the same force and effect as if this Act had not been passed.

Act not to affect Debentures already issued.

XI. This Act shall be deemed a Public Act.

Public Act.