

vested in John Powell, his wife and children, and M. S. Coxwell, and her children. partition as may by them respectively be agreed upon and deemed expedient, of the share of the said Real Estate as was by the said Will and Codicils of the said Anne Powell, and the said Deed of Partition in the said second section of this Act mentioned, vested in the Trustees of the said John Powell and Eleanor his wife and their children, on the one hand, and the Trustees of the said William Henry Coxwell and Mary Sophia Coxwell and their children on the other, as tenants in common, so that their respective portions of such share may become separately vested in the said Trustees respectively, upon the respective trusts hereinbefore mentioned, and such tenancy in common effectually determined, notwithstanding the coverture or infancy of any of the persons beneficially interested in such share or portion respectively.

Public Act.

VII. This Act shall be deemed a Public Act.

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

An Act to authorize William Weller to hold and convey the Canada Grand Trunk Telegraph Line.

[Assented to 19th June, 1856.]

Preamble.

**W**HEREAS Adam Wilson and the late John Thomas Arnold, mortgagees in trust of the Telegraph Line and property hereinafter mentioned, did on the eighteenth day of August, one thousand eight hundred and fifty-five, in pursuance of the power of sale contained in an Indenture of mortgage bearing date the tenth day of November, one thousand eight hundred and fifty-four, and made between the Canada Grand Trunk Telegraph Company, of the first part, and the said Adam Wilson and John Thomas Arnold, of the second part, to secure the payment of certain debentures issued under the authority of a By-law of the said Company duly passed by the Stockholders thereof, sell and convey to William Weller all the stock, plant and materials of every kind whatsoever of the Telegraph Line known as the "Canada Grand Trunk Telegraph Line," commencing at Buffalo, in the State of New York, one of the United States of America, and extending to the City of Quebec in Lower Canada, and situate or being in any of the counties or districts of Upper or Lower Canada, including all the branch lines of the same, with all the instruments, batteries and materials then used in working the same or that might thereafter during the continuance of the said Indenture be used in working the same, with all the office furniture and chattel property of every description whatsoever, belonging or appertaining to the said Company, or that might thereafter during the continuance of the said Indenture be purchased for the use of the said Company, contained or being in any of the offices of the said Company in any and every County of Upper or Lower Canada whereat the said Company might have an office or station,

station, or through which the said line or any branch thereof might have been or should be constructed :

And whereas the Electric Telegraph Companies Incorporation Act of 1852 does not in express terms confer upon Companies incorporated under its provisions the power of purchasing and maintaining Telegraph Lines already constructed, and does not confer upon private individuals the power to acquire, erect, hold, maintain, work or dispose of Telegraph Lines :

And whereas the said William Weller and the said Adam Wilson, the surviving mortgagee above named, and the said Grand Trunk Telegraph Company, have by their petition setting forth the facts above stated, prayed that the said Telegraph Line and the other property so purchased as aforesaid may be vested in the said William Weller, and that he may have the necessary powers for erecting branch lines and holding, maintaining and working as well the said line already erected as those to be erected, and also for disposing thereof to any Company or individual :

And whereas the said William Weller has in the said petition set forth, that since the purchase made by him as aforesaid, he has expended large sums of money in putting the said line in repair and in working order, and it is expedient to grant the prayer of the said petition : Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows :

I. The said William Weller shall be held to have had on the said eighteenth day of August, one thousand eight hundred and fifty-five, full power and authority to purchase and hold the Telegraph Line, and all other the property in the preamble of this Act mentioned, so purchased by him as therein stated, to have and to have had full power to construct, acquire and hold for his own benefit, all other property of a similar nature, acquired or constructed by him since that date or that may hereafter be acquired or constructed by him ; and the said William Weller, his executors, administrators and assigns, shall have and shall be held to have and to have had from the time of such purchase, acquirement and construction as aforesaid, all the powers and privileges conferred upon corporations formed in accordance with the provisions of the Electric Telegraph Companies' Incorporation Act of 1852, (sixteenth Victoria, chapter ten,) and may work, repair, maintain and re-erect the said lines, and may construct branch lines and may amalgamate the said lines with any other Telegraph Lines ; and any person who shall obstruct or interrupt the free use of the said lines, or shall injure any of the said property, shall be subject to be convicted and punished as in that Act is specified.

W. Weller to have and to be deemed to have had power to hold the said Telegraph line and to work the same, &c.

With usual powers under 16 V. c. 10.

Penalty for injuring the line.

Any Telegraph  
may purchase  
and hold the  
said line.

II. Any Telegraph Company already or hereafter to be incorporated under any general or special Act of the Province, may purchase from the said William Weller, his executors, administrators and assigns, and he and they may sell and convey, the Telegraph Line and all other property in the next preceding section of this Act mentioned; and thereupon, such Company shall have, enjoy and exercise, with respect thereto, all the powers, rights and privileges, conferred upon such Company in regard to other property of a similar nature by the said Electric Telegraph Companies' Incorporation Act of 1852, or by its special charter.

Public Act.

III. This Act shall be deemed a Public Act.

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

An Act to authorize Henry Augustus Fitzgerald McLeod, to practise as a Provincial Land Surveyor.

[Assented to 19th June, 1856.]

Preamble.

WHEREAS Henry Augustus Fitzgerald McLeod, of the City of London, in the County of Middlesex, in this Province, Civil Engineer, hath by his petition to the Legislature represented, that he served for three years, from the first day of July, one thousand eight hundred and fifty-one, to the first day of July, one thousand eight hundred and fifty-four, under articles to John C. Innes, of the City of Kingston, Civil Engineer, for the purpose of learning and practising that profession, and that during the said three years he was constantly employed on Surveys for Railways and works in the field connected with the practice both of a Civil Engineer and of a Surveyor; that the said John C. Innes was not a Provincial Land Surveyor, and that the Petitioner wishing to practise as such, did on the twenty-fifth day of April, one thousand eight hundred and fifty-five, become articulated to Charles L. Davies, of the said City of London, a Provincial Land Surveyor, and hath since that time been steadily and constantly employed in the practice of that profession under him; And the said McLeod hath further represented, that although during the time he was serving with the said John C. Innes, he was in fact learning and practising the science and art as well of a Surveyor as of Civil Engineer, and hath again practised surveying during one year under the said C. L. Davies, making in all four years, he finds that by the Act relating to Land Surveyors and the admission of persons as such, he cannot be admitted to practise until he has served three years with the said C. L. Davies or some other Land Surveyor, while Surveyors from Lower Canada may be admitted after six months of such service, and those from any other part of Her Majesty's Dominions after one year of such service in Upper Canada,—and hath prayed that under these circumstances, an Act may be passed authorizing his admission as a Land Surveyor for Upper Canada; And whereas

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