

Laws of Her Majesty's Province of United Canada, passed in the year 1851. Quebec: Stewart Derbshire and George Desbarts, 1852.

16 Victoria – Chapter 213

An Act to extend the provisions of the Act of the present Session, empowering certain Municipal Councils in Lower Canada to take Shares in the Capital Stock of certain Railroad Companies. Assented to 14th June, 1853.

Whereas it is expedient to extend the provisions of the Act passed in the present Session, intituled, *An Act to empower the Municipalities of the Counties of Tico Mountains, Terrebonne, Rouville and Missisquoi to take Stock in any Railroad Companies, for the construction of Railways passing through the said Counties respectively, and to issue Bonds to raise funds for the payment of the same*, to the Councils of all County, Town and Village Municipalities in Lower Canada, and to the taking of Shares by the same in the Capital Stocks of Companies incorporated for the construction of Railroads, Bridges, Piers, Wharves and Slides, in or near their respective Municipalities: 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 all, each and every of the provisions of the Act cited in the Preamble of this Act, shall extend and apply, and be held and deemed to extend and apply to all, each and every of the County, Town and Village Municipalities in Lower Canada, and to the Municipal Councils thereof, in the same manner and to the same effect to all intents and purposes, as if the same were expressly mentioned by name in the said Act, and to the taking and subscribing for by the Municipal Council of any such County, Town or Village Municipality, of Shares in the Capital Stock of any Company duly formed and incorporated for the construction of any Railroad passing through or in the vicinity of their respective Municipalities, or of any Company incorporated under and in pursuance of the Act passed in the twelfth year of Her Majesty's Reign, intituled, *An Act to authorize the formation of Joint Stock Companies in Lower Canada, fur the construction of Macadamized Roads, and of Bridges and other works of like nature*, for the construction of any Road, Bridge, Pier, Wharf or Slide, either wholly or partly within the limits of their Municipality, or in the Vicinity thereof, in flic same manner and with the same effect as if such Municipalities and Companies respectively were expressly mentioned and referred to in the said Act cited in the Preamble to this Act, in construing which said cited Act the word u County" shall be understood as including incorporated Towns and Villages: Provided that for the purpose of ascertaining whether any By-law authorizing any such subscription is, or is not, approved by the majority of the qualified Municipal Electors of any Town or Village, the votes shall be taken,, and a separate person shall be appointed to take the same, in. each Ward of such incorporated Town or Village, and the word "Township" or "Parish" in those provisions of the said Act cited in the Preamble which relate to the taking of such Votes, shall be understood to include any Ward of an incorporated Town or Village.

II. Provided always, and be it enacted, That if the inhabitants of any one or more Townships or Parishes in any County, shall be more especially interested in any such Railway than the other Townships and Parishes therein, then it shall be lawful for the County Council to pass a By-law or By-laws to authorize the Mayor of such County or other person whom they may appoint, to subscribe for Stock of the Company incorporated for the construction of such Railway, to be held by the County for and on behalf of such Township or Townships, Parish or Parishes; and in such case the sum or sums necessary for paying for such Stock or the instalments thereon, and the principal and interest of any Debentures issued for raising money to pay for such Stock or instalments, shall be raised by assessment on the assessable property in such Township or Townships, Parish or Parishes only, and not on the property in the remainder of the County; and such Stock shall be held by the County for the benefit of such Township or Townships, Parish or Parishes, and any surplus profits or dividends thereon, after paying all charges, incurred in respect of such Stock or such Debentures as aforesaid, shall be credited to such Township or Townships, Parish or Parishes, and shall go in deduction of any taxes which would otherwise be payable by them for County purposes; and the form of any Debenture to be issued for the purpose of raising money to pay for such Stock, shall be varied so as to shew that the money thereby secured is payable only out of moneys to be raised by assessment on the assessable property in such Township or Townships, Parish or Parishes: but in so far as may not be in-consistent with the provisions hereinbefore made, the provisions of the said Act shall apply to the case mentioned in this Act, and the Sheriff or Bailiff having any Writ of Execution issued under a judgment against the County Municipality for any moneys due on any such Debentures, shall have the same powers for levying the same on the assessable property in such Township or Townships, Parish or Parishes, as under the said Act he would have for levying the same on the assessable property in the whole County, if the Stock had been subscribed for and the Debentures issued on account of the County: Provided always, that no By-law shall be passed under this Section, unless the Councillors representing each Township or Parish on account of which Stock is to be taken in any Railway Company as aforesaid, shall vote for the passing of such By-law, nor unless the fact of their so voting shall be recited in the Preamble thereof, and such fact being so recited shall not be controvertible as against the Company to whose Stock the subscription is made, or any person claiming under any Debenture issued under such By-law, saving always the recourse of any person injured by any mis-statement in such recital against all parties concerned in making the same: And provided also, that it shall not be necessary that any By-law passed under this Section with the consent of the Councillors representing the Township or Townships, Parish or Parishes affected thereby, should be submitted to the approval of the qualified Municipal Electors therefor, or that it should be approved by a majority of such Electors; any thing in the Act cited in the Preamble to this Act and hereby extended, to the contrary notwithstanding.