

Laws of Her Majesty's Province of United Canada, passed in the year 1854. Quebec: Stewart Derbyshire and George Desbarts, 1854.

18 Victoria – Chapter 184

An Act to incorporate certain persons under the name and style of The Stratford and Huron Railway Company. Assented to 19th May, 1855.

Whereas it is desirable to incorporate a Company for the construction of a Railway from the Town of Stratford in the County of Perth, to the Town of Southampton in the County of Brace, or to some other point on Lake Huron, and with branches from some point or points in the main line, to or near the Towns of Penetangore and Sydenham respectively: 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-write 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. From and after the passing of this Act, William Smith, William Frederick McCulloch, Peter Robinson Jarvis, Peter Reid, Riverius Hooker Lee, Alexander Barrington Orr, Peter Woods, Thomas Mayne Daly, Joseph Walker, Alexander McNab, Patrick John Hamilton, George Cromar, Richard Berford, Daniel Home Lizars, Alexander McGregor, Robert Hendry, Joseph Whaley, Robert Moderwell, and William Fraser, Esquires, together with such other persons, corporation or corporations as shall, after the passing of this Act, become Subscribers to and Shareholders in the Railway in this clause mentioned, and their several and respective Heirs, Successors, Executors, Administrators and assigns, shall be, and they are hereby declared to be united into a Company for making and maintaining, and they are hereby authorized and empowered to make and maintain a double or single line of Railway with all the works, stations and equipments thereof, extending from some convenient point in the Town of Stratford in the County of Perth, to the Town of Southampton in the County of Brace, or to any point at or between Penetangore and Southampton on Lake Huron, that seems most expedient for establishing a terminus or termini of the said Railway, and with power to make branches from some point or points on the main line, to or near the Towns of Penetangore and Sydenham respectively, and shall be, for that purpose, a body politic and corporate by the name and style of the Stratford and Huron Railway Company, and by that name and style shall have perpetual succession and shall have a common seal, and shall and may sue and be sued; and the name of the undertaking shall be the Stratford and Huron Railway.

II. The several clauses of the Railway Clauses Consolidation Act with respect to the first, second, third and fourth clauses thereof, and also the several clauses of the said last mentioned Act with respect to "Interpretation," "Incorporation," "Powers," "Plans and surveys," "Lands and their valuation," "Highways and Bridges," "Fences" "Tolls" "General Meetings," "Directors, their election and duties," "Shares and their transfer," "Municipalities," "Shareholders," "Actions for indemnity and fines and penalties and their prosecution." "Working of the Railway," and "General

Provisions," shall be incorporated with this Act, and shall accordingly apply to the said Company and the said Railway, except only in so far as it may be inconsistent with the express enactments hereof; and the expression "this Act" when used herein, shall be understood to include the provisions of the Railway Clauses Consolidation Act which are incorporated with this Act as aforesaid.

III. From and after the passing of this Act, the said William Smith, William Frederick McCulloch, Peter Robinson Jarvis, Peter Reid, Riverius Hooker Lee, Alexander Barrington Orr, Peter Woods, Thomas Mayne Daly, Joseph Walker, Alexander McNab, Patrick John Hamilton, George Cromar, Richard Berford, Daniel Home Lizars, Alexander McGregor, Robert Moderwell, and William Fraser, Esquires, shall be provisional Directors of the said Company for carrying into effect the object and purpose of this Act.

IV. It shall and may be lawful for the provisional Directors for the time being of the said Company, or a majority of them, to supply the place or places of any of their number, from time to time dying or declining to act as such provisional Director or Directors, out of the several Subscribers for Stock in the said Railway to the amount of at least two hundred and fifty pounds provincial currency each; and the provisional Directors for the time being of the said Company, during the period of their continuance in office as such provisional Directors, except as hereinafter is excepted, shall be and they are hereby invested with all the powers, rights, privileges and indemnities, and they shall be and are hereby made subject unto the like restrictions, as the elected Directors of the said Company upon their being elected by the Stockholders in the said Company as hereinafter provided, would, under the provisions of the Railway Clauses Consolidation Act and of this Act, become invested with or subject unto respectively.

V. When and so soon as shares to an amount equivalent to one hundred thousand pounds provincial currency in the Capital Stock of the said Company shall be taken, and ten pounds per centum thereon shall have been paid in, it shall and may be lawful for the provisional Directors of the said Company for the time being, to call a meeting at the Town of Stratford of the Subscribers for Stock in the said Company, and who have paid ten per centum thereon as aforesaid, for the purpose of electing Directors of the said Company: Provided always, that if the said provisional Directors shall neglect or omit to call such meeting, then the same may be called by any ten of the holders of shares in the said Company holding among them not less than an amount equivalent to five thousand pounds provincial currency; And provided always that in either case public notice of the time and place of holding such meeting shall be given during one month in some one newspaper published in the Town of Stratford, and also in some one newspaper published in each of the Counties through which the said Railway shall pass or be intended to pass or in such of the said Counties as shall have a newspaper published therein respectively; and at such general meeting the Shareholders assembled, with such proxies as shall be present; shall choose nine persons to be Directors of the said Company, being each a proprietor of shares in the said Company to an amount of not less than two hundred and fifty pounds provincial currency, and shall also proceed to pass such Rules, Regulations and By-laws as shall seem to them fit, provided they be not inconsistent with this Act.

VI. The Directors so elected or those appointed in their stead, in case of vacancy, shall remain in office until the first Wednesday in June, one thousand eight hundred and fifty-six, and on the said first Wednesday in June, and on the first Wednesday in June in each year thereafter, or on such other day as shall be appointed by any By-law, an annual general meeting of the Shareholders shall be held at the office of the Company for the time being, to choose nine Directors in the room of those whose period of office shall have expired, and generally to transact the business of the Company; but if at any time it shall appear to any ten or more of such; Shareholders holding together one thousand shares at least, that a Special General Meeting of the Shareholders is necessary to be held, it shall be lawful for such ten or more of them to cause fifteen days' notice, at least, to be given thereof in such newspapers as is hereinbefore provided, or in such manner as the Company shall by any By-law direct or appoint, specifying in such notice the time and place and the reason and intention of such special meeting respectively, and the Shareholders are hereby authorized to meet pursuant to such notice and proceed to the execution of the powers by this Act given to them, with respect to the matter so specified only; and all such acts of the Shareholders or the majority of them at such special meetings assembled (such majority not having either as principals or proxies less than one thousand shares) shall be as valid to all intents and purposes as if the same were done at annual meetings.

VII. For the purpose of making, constructing and maintaining the Railway and other works necessary for the proper use and-enjoyment of the Railway by this Act authorized to be constructed, it shall and may be lawful for the Directors of the said Company for the time being, to raise, in such manner by Loan subscription of Stock, issuing of Shares or otherwise as to the Directors of the said Company for the time being shall from time to time seem fit the sum of five hundred thousand pounds provincial currency, such shares to be issued in sums of Five pounds Provincial currency each: Provided always, that the said capital sum may, from time to time, if necessary, be increased in the manner provided for by those clauses of the Railway Clauses Consolidation Act which in and by the second clause of this Act are expressed to be incorporated with this Act.

VIII. It shall and may be lawful for the Directors of the said Company for the time being to make, execute and deliver all such scrip and share certificates, and all such bonds, debentures, mortgages or other securities, as to the said Directors for the time being shall from time to time seem most expedient for raising the necessary capital for the time being authorized to be raised by the said Company, or for raising any part thereof.

IX. Every proprietor of shares in the said undertaking shall be-entitled-, on every occasion when the votes of the members of the said Stratford and Huron Railway Company are to be given, to one vote for every share of Five Pounds currency held by him.

X. Any shareholder in the said Company, whether British subject or alien or a resident in Canada or elsewhere, shall have an equal right to hold stock, vote, and be eligible to office in the said Company.

XI. All bonds, debentures and other securities to be executed by the said Stratford and Huron Railway Company may be payable to bearer, and all such bonds, debentures or other securities of the said Company, and all dividends and interest warrants thereon respectively, which shall purport to be payable to bearer, shall be assignable at law by delivery, and may be sued on and enforced by the respective bearers and owners thereof for the time being in their own names.

XII. Any meeting of the Directors of the said Company at which not less than live of such Directors shall be present, shall be competent to exercise and use all and every of the powers hereby vested in the said Directors.

XIII. Calls may be made by the Directors of the said Company for the time being: Provided that no call to be made upon the subscribers for stock in the said Railway Company shall exceed the sum of ten pounds per centum upon the amount subscribed for by the respective shareholders in the said Company, and that the amount of any such calls in any one year shall not exceed fifty pounds per centum upon the stock so subscribed: Provided also, that upon the occasion of any person or corporation becoming a subscriber for stock in the said Company, it shall and may be lawful for the provisional and other Directors of the said Company for the time being, to demand and receive to and for the use of the said Company, the sum often pounds per centum upon the amount so by such person or corporation respectively subscribed, and the amount of such calls as shall have already been made payable in respect of the stock then already subscribed at the time of such person or corporation respectively subscribing for stock.

XIV. The said Railway and its Branches shall be commenced within two years, and completed within seven years from the passing of this Act.

XV. This Act shall be deemed a Public Act.