

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

18 Victoria – Chapter 188

**An Act to change the name of the Bytown and Prescott Railway Company, and to amend the Act incorporating the same. Assented to 30th May, 1855.**

Whereas the By town and Prescott Railway Company have petitioned that the Corporate name of the said Company may be changed, and that the Act incorporating it may be amended in the manner 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, 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:

I. From and after the passing of this Act the Company incorporated by the Act of the Parliament of this Province, passed in the Session held in the thirteenth and fourteenth years of Her Majesty's Reign, and intituled, *An Act for the incorporation of a Company to construct a Railroad between By-town and Prescott*, shall be called and known by the name and style of the "Ottawa and Prescott Railway Company," instead of being called and known by the name and style of the "Bytown and Prescott Railway Company," any thing in the said Act or in any other Act or Law to the contrary notwithstanding; Provided always that such change of name and style shall not be construed to make the said Company a new Company or Corporation, or to impair or alter the effect of any Act relating to the said Company, or of any instrument or proceeding to or in which the said Company by its former name and style may be or may have been a party or in any wise concerned or interested, but the same shall have full force and effect, and shall apply to and may be continued with respect to the said Company by the name and style hereby assigned to it, upon suggestion of the passing of this Act.

II. It shall and may be lawful for the said Company to enter into any agreement with any person or persons, or with any other Railway Company, either in this Province or in any Foreign State, for leasing the said Railroad or any part thereof, or the use thereof, at any time or limes, to such person or persons or other Company, or for leasing or hiring out to such person or persons or other Company, the said Railroad, and any locomotives, cars, carriages, tenders or other property, moveable and immoveable of the said Company, - either altogether or for any lime or times, occasion or occasions, or for leasing or hiring from any other Railway Company, any Railroad or part thereof, or the use thereof, at any time or times, or for leasing or hiring from such other Railway Company, any Railroad, Locomotives, Cars, Carriages, Tenders or other property, moveable and immoveable, or for using either the whole or any part of the said Railroad, or of the moveable and immoveable properly of the said Company, or of the Railway or moveable and immoveable property or either, of such other Company, in common by the two Companies, or

generally to make any agreement or agreements with any person or persons, or with any such other Company, touching the use by any of such person or persons or by one or other, or by both Companies, of the Railway or moveable and immoveable property of either or of both, or of any part thereof, or touching any service to be rendered by the one Company to the other, and the compensation therefor; and any such agreement or lease shall be valid and binding and shall be enforced by all Courts of Justice in this Province, according to the terms and tenor thereof: Provided always, that the act or acts of the Directors of the said Company sanctioned and approved by a majority of the votes of the Shareholders attending any Special General Meeting of the Shareholders of the said Company, called for that purpose, either in person or by proxy, shall be considered lobe, and be to all intents and purposes, the act and acts of the Company under this section; and at such Special General Meeting the said Shareholders may, by a majority of the votes of the Shareholders attending such Special General Meeting, either in person or by proxy, delegate to the Directors of the said Company, or a quorum thereof, or a majority of such quorum, all and singular the powers by this section conferred, given and granted to the said Company, to be exercised in such manner as to the said Directors or a quorum of them, or a majority, of such quorum, shall seem meet and as they shall direct and appoint; and that the powers hereby conferred upon the said Company shall extend to any agreement for lease of the said Railway and undertaking, locomotives, cars, carriages and other property of the said Company, moveable and immoveable, heretofore entered into by the Directors of the said Railway Company, and which has been sanctioned and approved of by the Shareholders of the said Company, at a Special General Meeting of the Shareholders thereof, called for that purpose, and that any such agreement shall be binding on the said Company and the party with whom the same was entered into, and any lease granted or to be granted in pursuance of such 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; 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.

IV. The Interpretation Act shall apply to this Act, and this Act shall be deemed a Public Act.