

nominate an Engineer to examine the Railway of the Company in whose case such Receiver is appointed, and if it shall appear to the Court by the Report of such Engineer that any expenditure is necessary on the said Railway, to direct the expenditure required for such purpose to be made, either out of any monies to be raised by such Company, or out of monies in the hands of such Receiver as to the said Court shall seem fit: Provided always, that no such expenditure shall take place except under the superintendence of such Engineer or of some other Engineer to be appointed by the said Court for that purpose.

Engineer to
examine Rail-
way, &c.

IX. It shall be lawful for any person who shall obtain final judgment against any such Railway Company, or for any holder of any bond or coupon on which any principal sum of money or interest shall be due from any Company to which a Receiver has been appointed under this Act, during the continuance of the appointment of such Receiver, to apply to the Court of Chancery in Upper Canada, or to the Superior Court in Lower Canada, to be allowed to participate in the monies received or thereafter to be received by such Receiver under the provisions of this Act, and the said Courts respectively shall and may make an order directing that such person shall participate therein, and such order shall give the person so obtaining it the same rights as if a Receiver had been appointed under this Act on his application: Provided always, that any person obtaining such order shall in any future distribution of monies in the hands of such Receiver, be entitled only to receive a dividend to the same amount on his claim as the creditors upon whose application such Receiver was appointed, notwithstanding that such other creditors shall have received prior dividends on their respective claims.

Creditors of
Company may
apply to be
allowed to
participate in
monies re-
ceived

Proviso.

X. As soon as it shall appear to the satisfaction of the Court by whom any Receiver has been appointed under this Act that the claims of all such creditors as have availed themselves of the provisions of this Act have been satisfied, the said Court shall discharge the order for the appointment of such Receiver, who shall thereupon account to the Company for all the monies he has received, and shall deliver back to the Company all monies and property of the said Company remaining in his hands, and all books and papers of the Company in his possession.

Order for ap-
pointment of
Receiver to be
discharged
when all debts
are paid.

XI. It shall be lawful for any Judge of the Court of Chancery in Upper Canada or of the Superior Court in Lower Canada to exercise all powers given by this Act to the said Courts respectively.

Anyone Judge
may act under
this Act.

XII. It shall be lawful for the said Court of Chancery in Upper Canada and the Superior Court in Lower Canada to make any rules for carrying out the provisions of this Act, which they shall think fit, having due regard to priority of lien of parties.

Courts to
make rules
under this
Act.

XIII. Nothing in this Act contained shall in any way alter, affect or impair the lien, mortgage or charge of the Government on any Railway which may have received Government aid; any such lien, mortgage or charge shall continue and remain in full force as if this Act had not been passed.

Act not to
affect Govern-
ment lien.

XIV. Notwithstanding any thing in this Act contained, any person or persons or corporation that, before the passing of this Act, shall have obtained judgment against any Railway Company and sued out execu-

Receiver may
be appointed
in cases where
judgment has