

12. *And be it further enacted by the authority aforesaid,* That whenever it shall be necessary for the construction of their single or double Rail Road to intersect or cross any stream of water or water-course lying on the route of said Rail Road, between the river Niagara in the township of Bertie, in the Niagara district, and the river Detroit and the town of Sandwich, in the Western district, it shall and may be lawful for the Company to construct their double or single Rail Road across or upon the same, provided that the said Company shall restore the stream of water course thus intersected or crossed to its former state, or in a sufficient manner not to impair its usefulness, and shall moreover erect and maintain during the continuance of the Company, sufficient fences upon the line of the route of the double or single Rail Road.

13. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful for the President and Directors of the said Company from time to time to fix, regulate and receive the tolls and charges to be received for transportation of property or persons on said double or single Rail Road as aforesaid, hereby authorised to be constructed, erect, built, made and used.

14. *And be it further enacted by the authority aforesaid,* That so soon as a President and Directors have been appointed, as hereinafter mentioned, it shall and may be lawful for them to call upon the stockholders of the said Company, by giving thirty days notice thereof, in any newspaper published in the Niagara, London and Western Districts, for an instalment of five per cent upon the stock which they or any of them shall respectively have subscribed; and that the residue of the stock subscribed by the stockholders shall be payable by instalments in such time and in such proportions as a majority of the stockholders at a meeting expressly convened for that purpose shall agree upon, so that no such instalment shall exceed five per cent, nor become payable in less than thirty days after public notice in the newspaper or newspapers aforesaid; *Provided always* that the said President and Directors shall not commence the construction of the said Rail Road until the first instalment shall be paid in.

15. *And be it further enacted by the authority aforesaid,* That if any stockholder or stockholders as aforesaid shall refuse or neglect to pay at the time required, any such instalment or instalments as shall be lawfully required by the President and Directors as due upon any share or shares, such stockholder or stockholders so refusing or neglecting shall forfeit such share or shares as aforesaid, with any amount which shall have been previously paid thereon; and that the share or shares may be sold by the President and Directors, and the sum or sums accruing therefrom, together with the amount previously paid thereon, shall be accounted for and applied in like manner as other monies of the said company: *Provided always* that the purchaser or purchasers shall pay the said company the amount of the instalment required over and above the purchase money of the share or shares so purchased by him, her or them, as aforesaid, immediately after the sale and before they shall be entitled to the certificate of such share or shares so purchased as aforesaid: *Provided always* that thirty days notice of the sale of such forfeited share or shares shall be given in any newspaper or papers published in the Niagara, London and Western districts; and that the instalment due may be received in redemption of any such forfeited share or shares at any time before the day appointed for the sale thereof.

16. *And be it further enacted by the authority aforesaid,* That the said corporation hereby created shall have power to construct a single or double Rail Road from the river Niagara in the township of Bertie, in the Niagara district, to the river Detroit, in the township of Sandwich, in the Western district (to be located under the directions of Richard Dowdle Drake, Alexander Douglass, William Elliott, Benjamin Parker Cahoon, Francis Caldwell, Francis L. Walsh, John Prince, Bela Shaw and John Alexander Wilkinson, who are hereby appointed commissioners for that purpose,) with power to transport take and carry property and persons upon the same by the power and force of steam, or of animals, or by any such mechanical or other power, or by any combination of such powers.