

to the said works respectively, (save in such instances as are herein specially provided for), without the consent of the party or parties who could under the provisions of this Act convey such lands.

Except by consent of parties.

X. And be it enacted, That the said Company may make, carry 5 or place their said intended Railway and works into, across or upon the lands of any person or party whomsoever on the line aforesaid or within the distance aforesaid from such line, although the name of such party be not entered in the said book of reference, through error, want of sufficient information, or any other cause, or although some 10 other person or party be erroneously mentioned as the owner of or party entitled to convey or interested in such lands.

Errors in the book of reference not to prevent the making of the Road, on the line shewn or within the limits of deviation.

XI. And be it enacted, That the lands or grounds to be taken or used for such intended Railway, and the ditches, drains and fences to separate the same from the adjoining lands, shall not exceed thirty 15 yards in breadth except in such places where the said intended Railway shall be raised more than five feet higher, or cut more than five feet deeper than the present surface of the land, or in such places where it shall be judged necessary to have off-sets for the locomotives or other engines and carriages using the said intended 20 Railway to be or pass each other (and not above one hundred yards in breadth in any such place), or where any houses warehouses, wharves, toll-houses, watch-houses, weighing-beams, cranes, fixed engines or inclined planes, may be intended to be erected, or goods, wares or merchandize be delivered, (and then not more than two 25 hundred yards in length by one hundred and fifty yards in breadth), without the consent of some party who can, under the provisions of this Act, convey such lands to the said Company; and the places at which such extra breadth is to be taken, shall be shown on the said map or plan, so far as the same may be then ascertained, but their 30 not being so shewn shall not prevent the Company from taking such extra breadth provided it be taken upon the line shewn or within the distance aforesaid from such line: Provided always, that no land shall be taken by the said Company from any public highway, (except only as hereinbefore provided), but their right shall be 35 limited to the laying down across the same, that is in the line of the said Railway at whatever angle it may intersect such highway, the rails and other contrivances forming part of the said Railway, subject to the limitations mentioned in the Section, or any other part of this Act; nor shall any land or property vested in Her Majesty, 40 or in any party in trust for Her Majesty, except under the next following section, be taken by the said Company without the consent of Her Majesty or of the party in whom the same shall be vested in trust.

Lands taken for Railroad not to exceed 30 yards in breadth.

Exceptions for off-sets, passing places, &c.

And for stations for machinery, &c.

Proviso as to lands forming part of public roads, &c.

XII. And be it enacted, That it shall be lawful for the said 45 Company to take, use, occupy and hold, but not to alienate, so much of the public beach or of the land covered with the waters of the Rivers Ottawa and St. Lawrence (not exceeding the quantity limited in the next preceding section), as may be required for the 50 Railway and other works which they are hereby authorized to construct; doing no damage to nor causing any obstruction in the navigation of the said rivers.

Company may use the Public Beaches, &c. doing no damage to the navigation.