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No. 253.

2nd Session, 6th Parliament, 22 Victoria, 1859,

BILL.

An Act to incorporate the Guelph and
Wellington Roads Company.

As passed by the Legislative Council.

[Printed by Order of the Legislative
Assembly.]

S. Derbshire & G. Desbarats, Queen's Printer.

B I L L .

[As passed by the Legislative Council.]

An Act to incorporate the Guelph and Wellington Roads Company.

WHEREAS it is necessary to encourage the construction of Gravel Roads in the County of Wellington, upon a proper system of connection with the main lines of travel in the adjoining Counties of Grey and Bruce; And whereas the joint action of all municipalities interested and Road Companies already formed cannot be obtained except by the formation of a Company, for the purpose of acquiring and making such Roads, and which are hereinafter particularly described and mentioned: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

1. James Webster, George Elliot, John Hogg, David Stirton, James Ross, William Tyler, William Cormack, James Watt, John Cadenhead, Andrew Lightbody, William Clark, Archibald Harrison, George Allan, and Guy Lesslie, and such other persons and municipalities as shall hereafter become owners of shares in the Capital Stock of the Company hereby formed, shall be and are hereby declared to be united into a Company under the Corporate name of "The Guelph and Wellington Roads Company," for the purpose of acquiring by purchase all or any part of the Roads next hereinafter mentioned, from the Municipalities or Companies having any interest therein, that is to say:

That part of the Gravel Road known as the Brock Road, within the County of Wellington;

The Gravel Road from the boundary of the Town of Guelph, to Card's Corner, and the Gravel Roads from Card's Corner to the boundaries of the Villages of Elora and Fergus respectively;

The Gravel Road from the Northern boundary of the Village of Fergus to the Village of Arthur;

And also, for the purpose of constructing all or any part of the following roads, that is to say:

The Road known as the Waterloo Road, from the boundary of the Town of Guelph, to the boundary of the County of Wellington ;

The Road known as the York Road, from the boundary of the Town of Guelph along said York Road, and the present travelled road to Eden Mills, to the boundary of the County of Wellington ;

The Road known as the Eramosa Road, from the boundary of the Town of Guelph along the present travelled road to Erin Village in the Township of Erin ;

A Road from the Eastern boundary of the Village of Ferguson to Orangeville, and a branch from some point on the said road to a point on the Northern boundary of the Township of Amaranth, passing near the South-Easterly angle of the Township of Luther ;

A road from the South-East corner of the Township of Arthur, along or near the road known as the Owen Sound Road, to the Northern boundary of the Township of Arthur, in the Village of Mount Forrest ;

A Road from the Owen Sound Road near Arthur Village, North-Easterly, to some point on the boundary line between the Townships of Luther and Proton ;

A Road from the Northern boundary of the Village of Elora, along or near the road known as the Saugeen Road, to the North-Western boundary of the Township of Minto, and a road from the Western boundary of the Town of Guelph to a point on the boundary line between Maryborough and Wallace, by the Villages of Elmira, Glenallan and Hollin.

2. The words "Roads Act of 1853," when used in this Act, shall mean and refer to the Act passed in the Sixteenth Year of Her Majesty's Reign, Chapter One Hundred and Ninety ; and the words "this Company," when used in this Act, shall mean "the Company Incorporated by this Act."

3. The Capital Stock of this Company shall be Fifty thousand dollars, divided into shares of Twenty dollars each, with power to increase the same as provided in the Roads Act of 1853.

4. Within sixty days of the passing of this Act, the Warden of the County of Wellington shall give ten days' notice by advertisement, in at least three newspapers of the County, of the time and places when and where books for the subscription of the Stock of this Company shall be opened ; and as soon as one half of the said stock shall be subscribed, irrespective of stock taken by municipalities, and six per cent thereon paid in to the credit of the Company, with such persons as the Warden may

by such notice authorize to receive the same, the Warden shall give twenty days' notice, in the same papers as before, of the time and place for the meeting of the Shareholders in the Company, for the election of Directors of the Company; and at such meeting five Directors shall be elected by the Shareholders, who shall have one vote for every share; and no one shall be at any time elected a Director of the Company who shall not possess in his own name at least five shares of the said stock; and such Directors, with any Directors who may be appointed by the Municipalities taking stock in the Company, shall manage and conduct the affairs of the Company until the annual meeting for the election of Directors, on the second Monday in December following; after which time the Directors to represent the private stock of the Company shall be five in number, and shall be elected in accordance with the provisions contained in the Roads Act of 1853; and the affairs of the Company shall be managed by such Directors and the Directors appointed by Municipalities as hereinafter provided.

5. It shall be lawful for any Municipal Body Corporate owning any of the Roads first hereinbefore mentioned, or having any interest therein, or in any stock in any Company formed for the construction of either of them, or having any bond, mortgage, or debenture of any such Company, or any transfer, assignment, or lien, of or upon either of the said roads or the tolls to be collected thereon, to bargain, sell and transfer the same by Deed, under a By-law duly passed for that purpose, to this Company, and this Company shall have full power to take, receive and hold the same, and all the rights and advantages the Municipality may have in the same, and to pay therefor, to such Municipality in paid up stock or shares of this Company, to such amount as may be agreed upon between the Municipality and this Company; and it shall be lawful for such Municipality to accept and hold such stock.

6. Municipalities taking or holding stock in this Company to any amount under Ten thousand dollars shall be represented in the Direction of the Company by a Director appointed from time to time by By-law, duly passed for that purpose by the Council of the Municipality holding such stock, and in the same manner for every Twenty thousand dollars of stock so held, over the first Ten thousand dollars, an additional Director may be appointed.

7. And it shall be lawful by consent of the Stockholders of any Company formed for the construction of either of the said roads first mentioned, such consent being expressed by resolution, passed at a general meeting of the Stockholders, by Shareholders representing at least two-thirds of the Capital Stock of the Company, either in person or by proxy, for the Directors of such Company to bargain, sell and convey such road by Deed,

subject to such incumbrance or lien as may then exist thereon, under the hand of the President and Seal of the Company to this Company; and the Directors of this Company shall have full power to receive such conveyance upon the best terms they can make with the said Company: Provided that the Shareholders of the old Company shall receive compensation for their stock therein only by transfer of shares in this Company, in such proportion of new stock for stock in the old Company, as may be agreed upon and expressed in such resolution, and not in cash, bonds, debentures or other securities.

8. It shall be lawful for any Municipal body corporate to be benefitted by the construction of any of the said roads, to exercise the powers mentioned in the twenty-third and twenty-fourth sections of the Roads Act of 1853, and such Municipalities, or any individual, taking stock in this Company, may make it a condition of the subscription of any stock that the amount so subscribed shall be laid out and expended on a particular road, hereby authorized to be constructed by this Company.

9. The provisions contained in the second, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, nineteenth, twentieth, twenty-first, twenty-second, twenty-third, twenty-fourth, twenty-fifth, twenty-sixth, twenty-eighth, twenty-ninth, thirtieth, thirty-first, thirty-second, thirty-third, thirty-fourth, thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth, fortieth, forty-first, forty-second, forty-third, forty-fourth, forty-fifth, forty-sixth, forty-seventh, forty-eighth, forty-ninth, fiftieth, fifty-first, fifty-second, fifty-third, fifty-fourth, fifty-sixth, fifty-seventh, sixtieth and sixty-second sections of the Roads Act of 1853, and not repugnant to, or inconsistent with, the provisions of this Act, shall be and shall be deemed to be taken to be incorporated with this Act, and shall apply to this Company as if this Company were formed under its provisions.

10. As soon as any of the said gravel roads first mentioned shall become the property of this Company, the same shall be managed in every respect under this Act, and the powers of this Company shall be the same as if the said Roads were constructed by this Company under the provisions of this Act, and the general provisions of the Roads Act of 1853, incorporated with this Act, any thing in any Act to the contrary notwithstanding.

11. It shall be lawful for the Council of the County, or of any Municipality through which this Company is empowered to make a road, to enter into any agreement with this Company to advance a certain sum per mile on account of the expenses thereof, or to keep the road or some portion thereof in repair when constructed, or both, and for this Company in consideration of such aid or agreement to repair, to agree to levy only a reduced rate of toll, or to limit the number of gates where tolls are to be collected thereon.