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No. 310.

4th Session, 3rd Parliament, 14 & 15 Vict. 1851.

BILL.

An Act to incorporate a Company for
the construction of a Railway from
Goderich to Guelph.

Received and read a first time, Wednesday, 20th
August, 1851.

Second reading, Thursday, 21st August, 1851.

Hon. Mr. CAYLEY.

B I L L.

An Act to incorporate a Company for the construction of a Railway from Goderich to Guelph.

WHEREAS the persons hereinafter mentioned together with others, have among other things petitioned for the revival of the Act passed in the tenth and eleventh years of Her Majesty's Reign, and intituled
 5 "*An Act for incorporating the Toronto and Goderich Railway Company;*" And whereas it is expedient in part to grant the prayer of the said Petitioners in so far as to incorporate a Company to construct a Railway from the Town of Goderich to the Town of Guelph under the
 10 provisions of the Railway Clauses Consolidation Act; Be it therefore enacted, &c. That from and after the passing of this Act, John Arnold, John G. Bowes, A. M. Clark, William Clarke, James Cotton, John Fiskén, William Charles Gwynne, George Herrick, James Hodgert, John
 15 Holmes, William P. Howland, Samuel Peters Jarvis, John McDonald, Samuel Smith, John Smith, James McGill Strachan, James Webster, Ezekiel F. Whittemore, Frederick Widder and George Wright, Esquires, together with every person who has already, under the
 20 provisions of the first above recited Act, become a subscriber to, or has agreed to become a shareholder in the Railway by the said Act authorized to be constructed, and who shall, within nine months from and after the passing of this Act, express his desire in writing addressed
 25 and delivered to the Secretary or to the Directors, or to any of the Directors of the Company hereinafter named, to have the amount or any part of the amount so by him subscribed for the purposes of the said Act, transferred to the purpose of constructing the work in this section
 30 mentioned, and also together with such other persons, corporations or corporation, as shall after the passing of this Act, become subscribers to and shareholders in the Railway in this section mentioned; and their several and respective successors, executors, administrators and
 35 assigns, shall be and they are hereby declared to be united into a Company for making and maintaining, and they are hereby authorized and empowered to make and maintain a double or single line of Railway, with the other works necessary therefor, extending from the waters of
 40 Lake Huron within the limits of the Town of Goderich to the Town of Guelph in the County of Waterloo, and for that purpose shall be one body corporate by the name and style of the Goderich and Guelph Railway Company, and by that name and style shall have perpetual

Preamble.

10 and 11
Vict. c. 123.

Certain persons incorporated to make a Railway from Goderich to Guelph.

Corporate name and powers.

succession, and shall have a common seal, and by that name shall and may sue and be sued.

Persons having paid money on shares in the Company established by the former Act may have credit for such sums.

II. And be it enacted, That all persons who, prior to the passing of this Act, have made any payments in respect of the shares by them subscribed for in the said Toronto and Goderich Railway Company, shall be entitled to receive credit therefor upon such stock as they shall respectively transfer as aforesaid, under the provisions of this Act, in the same manner as they would have been entitled to such credit upon the stock by them respectively subscribed for, in the said Toronto and Goderich Railway Company. 5 10

Capital of the Company.

III. And be it enacted, That it shall and may be lawful for the said Goderich and Guelph Railway Company to raise and contribute among themselves in such proportions as to them shall seem meet, a competent sum of money for the completion of the said Railway from the Town of Goderich to the Town of Guelph, and for the completion of the works necessary for the efficient working and maintaining the said Railway; provided that such sum so to be raised shall not exceed the sum of five hundred and fifty thousand pounds currency, in the whole, and that such sum be divided into shares, at a price of five pounds currency per share. 15 20 25

Certain clauses of the Railway Clauses Consolidation Act incorporated with this Act.

IV. And be it enacted, That the several clauses of the Railway Clauses Consolidation Act passed during the present Session, with respect to the first, second, third and fourth clauses thereof; and also, the several clauses of the said last mentioned Act with respect to "interpretation," "incorporation," "powers," "plans and surveys," "lands and their valuation," "highways and bridges," "fences," "tolls," "general meetings," "Directors, their election and duties," "shares and their transfer," "municipalities," "shareholders," "actions for indemnity, and fines, and penalties and their production," "working of the Railway," and "general provisions," shall be incorporated with this Act. 30 35

Provisional Directors appointed.

V. And be it enacted, That from and after the passing of this Act, the said John Arnold, John G. Bowes, A. M. Clark, William Clark, James Cotton, John Fiske, William Charles Gwynne, George Herrick, James Hodgert, John Holmes, William P. Howland, Samuel Peters Jarvis, John McDonald, Samuel Smith, John Smith, James McGill Strachan, Ezekiel F. Whittemore, Frederick Widder, James Webster, and George Wright, Esquires, shall be the Provisional Directors for carrying into effect the object and purposes of this Act. 40 45

Votes.

VI. And be it enacted, That the number of votes to which each shareholder in the said undertaking shall be 50

entitled, on every occasion when the votes of the members of the said Toronto and Guelph Railway Company are to be given, shall be in the proportion following to the number of shares held by him, that is to say; one
 5 vote for one share; two votes for five shares; three votes for ten shares, four votes for twenty shares and two additional votes for every twenty-five additional shares.

VII. And be it enacted, That when and so soon as
 10 shares to the amount of One Hundred and Fifty Thousand Pounds in the Capital Stock of the said Company shall be taken and ten per cent thereon shall have been paid in, it shall be lawful for the said Provisional Directors of the said Company or the survivors of them, to call a meeting at the City of Toronto, of the holders of such shares for
 15 the purpose of electing Directors: Provided always, that if the said Provisional Directors or the survivors of them shall neglect or omit to call such meeting, then the same may be called by any ten of the holders of shares in the said Company, holding among them at least one thousand
 20 shares: And provided always, that in either case, public notice of the time and place of holding such meeting shall be given during one month in two of the newspapers published in the said City of Toronto; and at such general
 25 meeting the shareholders assembled, with such proxies, as shall be present, shall choose thirteen persons being each a proprietor of not less than forty shares in the said undertaking, to be Directors of the said Company, and shall also proceed to pass such rules and regulations and by-laws as shall seem to them fit, provided they be not
 30 inconsistent with this Act.

When the first meeting shall be held and how called.

Proviso.

Proviso.

Election of Directors.

VIII. And be it enacted, That the Directors so elected
 (or those appointed in their stead in case of vacancy) shall remain in office until the first Monday in the month
 35 of June next following; and that on the said first Monday thereafter, or on such other day as shall be appointed by any by-law, an annual general meeting of the said Proprietors shall be held at the office of the Company for the time being, to choose Directors in the room of those
 40 whose period of office shall have expired, and generally to transact the business of the Company; but if at any time it shall appear to any ten or more of such shareholders holding together one thousand shares at least, that a special general meeting of shareholders is necessary to be held, it shall be lawful for such ten or more of
 45 them to cause fifteen days' notice at least to be given thereof in two public newspapers as aforesaid, or in such manner as the Company shall by any by-law direct or appoint, specifying in such notice the time and place and the reason
 05 and intention of such special meeting respectively; and the shareholders are hereby authorized to meet pursuant to such notices, and proceed to the execution of the powers

Annual Election of Directors.

Special General Meetings how called.

by this Act given them, with respect to the matters so specified only ; and all such acts of the shareholders or the majority of them at such special meetings assembled, such majority not having, either as principals or proxies less than one thousand shares, shall be as valid to all intents and purposes as if the same were done at annual meetings ; and any meeting of the said Directors at which not less than seven Directors shall be present, shall be a *quorum*, and shall be competent to use and exercise all and any of the powers hereby vested in the said Directors.

Quorum of Directors.

Gauge.

IX. And be it enacted, That the gauge to be used on the said Railway shall be five feet, six inches, and neither more nor less.

How stock subscribed by Municipalities shall be represented.

X. And be it enacted, That the stock to be subscribed for by Municipal Corporations shall be represented by the Mayor, Warden or Reeve from time to time being of such respective Municipal Corporations subscribing to the said Railway, and that such Mayor, Warden and Reeve respectively shall be entitled to vote upon all occasions in respect of the stock subscribed for by such respective Municipal Corporations in proportion to the amounts so subscribed for, and shall be eligible as Directors of the said Company in respect of such stock in addition to the provisions of the Railway Clauses Consolidation Act.