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No. 97.

PRIVATE BILL.

1st Session, 4th Parliament, 16 Victoria, 1852.

BILL.

An Act to amend the Act incorporating
the "*Toronto, Simcoe and Huron*
Union Railway Company."

Received and read a first time, Wednesday, 22nd
September, 1852.

Second reading, Monday, 27th September, 1852.

MR. BOULTON.

QUEBEC:

PRINTED BY JOHN LOVELL, MOUNTAIN STREET.

BILL

An Act to amend the Act incorporating the "Ontario, Simcoe and Huron Railroad Union Company."

WHEREAS it is desirable to amend the Act passed in the 12th year of Her present Majesty's Reign, intituled, "An Act to Incorporate the Toronto, Simcoe, and Lake Huron Union Railroad Company;" Be it enacted, &c.,

Preamble. 12 Vic. cap. 196.

5 That so much of the said Act as relates to the raising of funds for the construction of the Railroad therein mentioned by means of allotments by chance or distribution of prizes, shall be and the same are hereby repealed.

Lottery clauses repealed.

10 II. That the Directors of the said Company shall and they are hereby required, within two weeks after the passing of this Act, to call a meeting of the Shareholders of the said Company, at the City of Toronto, to be held within five weeks after the passing of this Act, for the purpose of electing Directors, and they shall cause notice of the time, place and object of such meeting to be published 15 in at least two newspapers published in the said City, fourteen days previous to the holding the same; and at such meeting the Shareholders assembled with such proxies as shall then be present shall choose eleven persons, being each a proprietor of not less than twenty shares, to be Directors of the said Company;—and 20 that this clause shall stand in the place of the 25th clause of said Act, which said 25th clause is hereby repealed.

Meeting to be called for the election of directors.

Sect. 25 repealed.

III. That the number of votes which each proprietor of shares in the said Company shall be entitled to give on any occasion, when he shall be legally authorised to vote, shall be as follows: 25 that is to say, one vote for every share not exceeding 500; a further vote for every additional 5 shares over 500 shares up to 1000 shares; and a further vote for every additional 10 shares over 1000: Provided, that no proprietor or corporation shall be entitled to give a greater number of votes than 750; and provided, 30 further, that nothing herein contained shall be held to prevent the City of Toronto and the County of Simcoe having each a Director in the said Company, under the provisions of the Act passed in

Proportion of votes to shares.

Proviso.

the Session held in the 13th and 14th years of Her Majesty's Reign, and chaptered eighty-one.

No vote until all calls are paid.

IV. That no Shareholder shall be entitled to vote on any occasion until all calls or instalments now due or to become due on his stock shall be paid.

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Recital.

Things done by present directors confirmed.

V. And whereas doubts have arisen as to whether the Directors named in the said recited Act and their successors have authority to contract for the construction of the said Railroad, and generally to act in the premises, and it is desirable to set at rest such doubts; Be it therefore enacted, That each and any act, matter or thing heretofore done by such Directors and their successors shall be held and taken to be valid to all intents and purposes as if any such act, matter or thing were done by Directors duly qualified under the provisions of the 25th clause of the said Act, and provided such acts, matters and things, were within the power and authority of such Directors.

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Recital.

Company empowered to construct a harbour at or near the terminus of their road on Lake Huron.

VI. And whereas it is expedient to construct at or near the terminus of the Railroad on Lake Huron a Harbor for the convenience of the Public, and facilitating the traffic of the Road; Be it enacted, That the said Company are hereby authorized and empowered to construct a Harbor at or near the northern terminus of the said Railroad on Lake Huron, which shall be accessible to, and fit, safe and commodious for, the reception of such description and burthen of vessels as commonly navigate Lake Huron, and also to erect and build up such needful moles, piers, breakwaters, wharves, buildings, erections and constructions whatsoever as shall be necessary, useful and proper for the protection of such Harbor, and for the accommodation and convenience of vessels entering, lying, loading and unloading within the same, and to alter, amend, repair, enlarge, deepen and dredge the said Harbor from time to time as may be found expedient and necessary, and also a Dry Dock or Railway calculated for refitting and repairing all shipping at such Harbor.

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Directors to fix tolls for the use of such harbor, &c.

VII. That it shall and may be lawful for the Directors of the said Company from time to time to regulate, fix and establish the rates of wharfage, tolls, dues or duties payable by persons navigating or using rafts, vessels, boats, or other craft on Lake Huron, and who may from time to time partake of the benefits and advantages of the said Harbor, Wharves, Docks, or Railway, or of the store-houses or other protections and erections for the safe keeping, repairing and refitting of all vessels, boats, crafts or rafts of

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any description, and of goods, wares and merchandize shipped or unloaded within the said Harbor, and to alter the said tolls, dues, duties and demands as they may deem proper and expedient; a copy of which tolls, rates and dues, shall be affixed up in not less than three places at or near to the said Harbor.

VIII. That if any person shall neglect or refuse to pay the rates, tolls, dues or demands aforesaid, it shall and may be lawful for the said Company or their officer, clerk or servant duly appointed, to seize or detain the goods, vessels or boats on which the same shall be due and payable, until such tolls shall be paid, and if the same shall remain unpaid for the space of thirty days next after such seizure, the said Company, or their officer, clerk or servant as aforesaid, may sell or dispose of the said goods, vessels or boats, or such part thereof as may be necessary to pay the said rates, tolls, dues and demands, by public auction, giving ten days notice thereof, and return the surplus, if any, to the owner or owners thereof.

Goods on which tolls shall be unpaid may be detained and sold.

IX. That all ships and vessels owned by or belonging to or in the use of Her Majesty or the Provincial Government, shall from time to time have free access and privilege of occupancy and sheltering under and using the privileges, safeties and advantages of the said Harbor, Wharves, Dry Dock or Railway free of all tolls or duties whatsoever.

Public vessels not to pay tolls.