



No. 246.

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2nd Session, 3rd Parliament, 12 Victoria, 1849.

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## BILL,

An Act to extend, alter and amend an  
Act intituled "*An Act to incorporate*  
*the Cobourg and Grafton Road*  
*Company.*"

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Received and Read a first time. Monday, 9th  
April, 1849.

Second Reading, Monday, 16th April, 1849.

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Mr. BOULTON, of Toronto:)

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**BILL.**

An Act to extend, alter and amend an Act intituled,  
*"An Act to Incorporate the Cobourg and Grafton  
 Road Company."*

**W**HEREAS a Petition has been presented by the Freeholder.  
 Cobourg and Grafton Road Company, praying for  
 an Act to authorize the construction of a Branch Road  
 through Haldimand, Cramahe, Seymour and Percy, in  
 5 the Newcastle District: And whereas the prayer of the  
 said Petition is strongly supported by James G. Rogers  
 and others, resident freeholders and householders within  
 the said several Townships, setting forth the benefit and  
 advantages to be derived from such an extension of the  
 10 Act incorporating the said Company: And whereas it  
 is desirable to amend the said original Act of Incorpora-  
 tion of the said Company by repealing certain clauses in the  
 said Act and adding others: Be it therefore enacted, &c.

And it is hereby enacted by the authority of the same, 7th, 15th and  
 17th Sections  
 of 10 and 11  
 Vict., c. 93,  
 repealed.  
 15 That sections seven, fifteen and seventeen of the Act  
 passed in the Session held in the tenth and eleventh years  
 of Her Majesty's Reign, and intituled, "*An Act to In-  
 corporate the Cobourg and Grafton Road Company,*"  
 be and the same are hereby repealed.

20 II. And be it enacted, That the said Company, their  
 servants and agents shall have full power under this Act  
 to lay out and construct, make and finish, a plank, stone  
 or gravel Road, at their own proper costs and charges,  
 commencing at a convenient point of the line of Road to  
 25 be constructed from Cobourg, through Grafton, to Col-  
 borne, and extending therefrom over, through and upon  
 such portion of the country lying between the said point  
 of commencement and the bridge erected by Govern-  
 ment across the River Trent, in the Township of Sey-  
 30 mour, connecting Seymour East and West, or such other  
 point as may be hereafter selected by the said Company  
 using such portions of the highway and travelled road  
 upon and along the said line of country as shall be deemed  
 necessary by the said Company to form a direct and easy  
 35 communication, and to overcome and avoid hills. Extension of  
 road through  
 Cramahe, Per-  
 cy and Sey-  
 mour.

III. And be it enacted, That for the purposes of such Increase of  
 Stock.  
 extension, the capital stock of the Road Company may  
 be increased from time to time by the Directors to such  
 an amount as will be sufficient to accomplish the formation  
 40 of the said Road: Provided always, that such extension  
 shall not be commenced until additional stock shall be

subscribed equal to one thousand pounds for every three miles of road that shall be undertaken, and a sum equal to ten per centum thereon shall have been paid up; and upon every such additional capital stock being subscribed and the said instalment paid thereon, it shall be lawful for the said Company to construct and finish three miles of the said extension and establish tolls thereon. 5

Granting extension of privileges to the Company.

IV. And be it enacted, That as soon as the said capital stock from time to time for the said extension or branch Road to Percy and Seymour shall be subscribed, and the first instalment thereon shall have been paid, all the powers, authorities and privileges of the said Company shall extend and apply to the said extended line of Road, and that all the clauses and provisions of the said original Act incorporating the said Company shall be deemed and taken to extend and apply to the said Company in the same manner as if the authority to make the said extension or Branch Road were incorporated in the said original Charter. 10 15

Regulating tolls.

V. And be it enacted, That the tolls authorized to be levied by the said Company henceforth upon the original line of Road as well as upon the said extension, shall for each time of passing, whether loaded or otherwise, not exceed one penny per mile for any vehicle drawn by two animals; and for any vehicle drawn by more than two animals, one halfpenny per mile for every additional animal; for every vehicle drawn by one animal, one halfpenny per mile; for every score of sheep or swine, and for every score of neat cattle, one halfpenny per mile; for every horse and rider, or every led horse, one halfpenny per mile;—but in no case shall the said Company charge or receive rates of toll which will enable such Company to divide more, nor shall the said Company divide more than twelve per cent per annum on their capital stock paid in and invested in their work, after keeping the road in repair, and appropriating not exceeding twelve per cent per annum on their capital stock invested as aforesaid, as a fund for the extension and reconstruction of the work when necessary. 20 25 30 35

Publication of accounts in Gazette.

VI. And be it enacted, That it shall be the duty of the Directors annually to publish a report in the *Canada Gazette*, certified upon oath of the Secretary for the time being, of the affairs of the said Company, the amount of all money expended, the amount of their capital stock, how much paid in, and how much actually expended, the whole amount of tolls or earnings expended on such work, the amount received during the year for tolls and all other sources, stating each separately, the amount of dividends made and the amount set apart for a reparation fund, and the amount of debts due by such Company, specifying the object for which such debts respectively were incurred: and the said Company shall keep regular 40 45 50

books of account in which shall be entered a correct account of the assets, receipts and disbursements of the Company, which books shall be regularly balanced at least once a year, and which books with all other books and muniments of such Company shall be at all times open to the inspection and examination of any Stockholder of the said Company.

VII. And be it enacted, That the said Company shall have full power and authority to erect such number of toll-gates or side-bars in, along or across the said original line of Road from Cobourg to Colborne, as well as the said extension, and fix such tolls, to be collected at each gate or bar, as they may deem fit and expedient (which tolls may be altered from time to time as circumstances may require), and to maintain and erect such toll-houses, toll-gates and other buildings and erections which may seem necessary and convenient for the due management of their business: Provided always nevertheless, first, that the main gates shall not in any case be placed at shorter distances from each other than three miles; And provided also, secondly, that no toll shall be exacted for merely crossing the Road or for merely crossing from the town concession or side line corresponding thereto on the opposite side of the said Road, whenever such last mentioned crossing shall not require the passing along such Road from the terminus of such town concession or side line on the other side thereof for any greater distance than one quarter of a mile.

VIII. And be it enacted, That all persons, horses or carriages going to or attending or returning from any funeral or any person with horse or horse and carriage going to or returning from divine service on the Lord's Day and all persons in the naval or military service of Her Majesty on actual duty and travelling on such road in discharge of such duty, with their horses and carriages and all horses, carts, waggons or carriages in charge of any such persons, conveying any naval or military stores belonging to Her Majesty in the course of transport from one place to another for Her service, shall pass the gates free of toll.

IX. And be it enacted, That from henceforth upon every election of Directors in the said Company, each Stockholder shall be entitled to one vote for every share he may hold or be possessed of in the said Company.

X. And be it enacted, That if at any time hereafter the Directors of the said Company shall be of opinion that the original capital subscribed will not be sufficient to complete the work contemplated by the said Company to be executed, or if more substantial improvements and reconstruction of the said Road at any time be required, it shall and may be lawful for the said Directors, by a resolution to be passed by them for those purposes or either of them, to authorize the subscription of such numbers of additional shares as shall be named in the said resolution.