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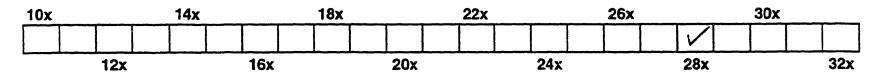
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2nd Session, 5th Parliament, 19 Victoria, 1856.

(PRIVATE BILL.)

BILL.

An Act to incorporate a Company by the name of the North Western Railway Company.

Received and read, first time, Monday, 10th March, 1856.

Second reading, Wednesday, 12th March, 1856.

Hon. Sir A. N. MACNAB.

TORON'TO: PRINTED BY JOHN LOVELL, YONGE STREET.

No. 89.]

BILL.

[1856.

An Act to incorporate a Company, by the name of the North Western Railway Company.

HEREAS the construction of a Railway from Galt to the waters Preamble, of Lake Huron, at or near the mouth of the River Saugeen, must conduce greatly to the welfare of the inhabitants residing on the line of such Railway, and will tend to open the surrounding country ; and, where-

- as John Young, F. W. Gates, Robert Hamilton, James Osborne, and D. M. 5 Osborne of the City of Hamilton, William Dickson, Absalom Shade, Adam Ainslie and William Elliott, of the Town of Galt, The Honble Walter H. Dickson, of the Town of Niagara, Daniel Snider, of the Village of Waterloo, and others, have prayed to be incorporated with the powers requisite
- 10 for making and maintaining such Railway; Therefore Her Majesty, &c., enacts as follows :

John Young, F. W. Gates, Robert Hamilton, James Osborne, D. M. Os- Certain perborne, William Dickson, Absalom Shade, Adam Ainslie, Wm. Elliott, The sons incor-Honble Walter H. Dickson, Daniel Snider, Tristram Bickle, William P. porated.

- 15 McLaren, Henry McKinstry, Jasper T. Gilkison, Charles A. Sadlier, George W. Burton, Isaac Buchanan, Donald McInnis, James Cummings, Michael W. Brown, Nehemiah Ford, Robert N. Law, the Honorable Sir Allan Napier MacNab, together with such person or persons, corporations and Municipalities, as shall, under the provisions of this Act, become Share-
- 20 holders in such Company as is hereafter mentioned, shall be and are hereby ordained, constituted and declared to be a body corporate and politic, in fact, by and under the name and style of The North Western Railway Corporate Company.

II. The several clauses of "The Railway Clauses Consolidation Act," Certain 25 with respect to the first, second, third, and fourth clauses thereof, and also clauses of the *** with respect to the first, second, third, and fourth clauses thereof, and also clauses of the several clauses of the said Act with respect to "Interpretation," "In-corporation," "Powers," "Plans and Surveys," "Lands and their Valua-tion," "Highways and Bridges," "Fences," "Tolls," "General Meetings," incorporated "Directors, their election and duties," "Shares and their transfer," "Muni-30 cipalities," "Shareholders," "Actions for Indemnity, and fines and penal-ties and their prosecution," "Working of the Railway" and "General Pro-visions" shall be incorporated with this Act. and shall be included. It is visions," shall be incorporated with this Act, and shall be included by the expression "this Act," whenever used herein.

III. The said Company and their servants or agents shall have full power Power to 35 under this Act, to lay out, construct, make and finish a double or single Company to iron Railway or Road at their own cost and charges, on and over any part construct road. of the country lying between Galt and the waters of Lake Huron, at or near the mouth of the River Saugeen, by way of the Village of Berlin and Waterloo.

name.

Form of Deeds veved for purposes of this . Act.

IV. Deeds and conveyances under this Act, for lands to be conveyed to for lands con- the said Company for the purposes of this Act, shall and may, as far as the title to the said lands or the circumstances of the parties making such convevances will admit, be made in the form given in the Schedule to this Act marked A; and all Registrars are hereby required to enter in their 5 Registry Books such deeds, on the production thereof and proof of execution, without any memorial, and to minute every such entry on the deed: and the said Company are to pay to the said Registrar for so doing, the sum of two shillings and six-pence, and no more.

Books of suband where to be opened.

V. The parties hereinbefore named, or a majority of them, shall cause 10 ecription when books of subscription to be opened in the City of Hamilton, and Towns of Galt and Berlin, and elsewhere as they may from time to time appoint. until the first meeting of Shareholders hereinafter provided for, for receiving the signatures of persons willing to become subscribers to the said undertaking; and for this purpose they shall give public notice in such news. 15 papers as they, or a majority of them, think proper, of the time and place at which such books will be opened and ready for receiving signatures as aforesaid, and of the persons by them authorized to receive such subscriptions; and every person who shall write his or her signature in such book as a subscriber to the said undertaking shall thereby become a member of 20 the said Company, and shall have the same rights and privileges as such as are hereby conferred on the several persons who are herein mentioned by name as members of the said Company.

Capital Stock, VI. The Capital Stock of the Company shall be five hundred thousand Amount, and pounds currency, to be divided into twenty thousand shares of twenty-five 25 number of pounds each, which amount shall be raised by the persons or parties above shares. named, or some of them, together with such other persons and Corporations as may become subscribers towards such Stock; and the said money so raised shall be applied, in the first place, towards the payment and discharge of all fees, expenses and disbursements for procuring the passing of 30 this Act, and for making the surveys, plans, and estimates of the said Road, and connected with the said Railway.

VII. Within one month after this Act shall be passed, a general meeting First general of the Shareholders shall be held at the City of Hamilton, for the purpose of putting this Act into effect, which meeting shall be called by any five 35 of the persons named in this Act, ten days' public notice thereof being given by being published in the newspapers of the said City of Hamilton, at which said general meeting, the Shareholders present having paid five Directors to be elected. per cent., on their Stock subscribed, shall, either in person or by proxy, choose nine Directors in the manner, and qualified as hereinafter mention-40 ed, who, together with the ex officio Directors as provided by the R liway Clauses Consolidation Act, shall hold office until the first annual general meeting for the election of Directors, and until others are elected in their stead.

Annual election of Directors.

Meeting.

VIII. On the second Monday in June in each year, at the Town of Galt, 45 at the office of the Company, there shall be chosen by the Shareholders nine directors in the manner hereinafter directed; and public notice of such Annual Election shall be published one month before the day of election in any two newspapers published in the City of Hamilton, and also once fifteen days before the election in one newspaper in each County upon the 50 line of the said Road; and all elections for Directors shall be by ballot, and the persons who shall have the greatest number of votes at any election shall be Directors; and if it shall happen that two or more shall have

an equal number of votes, the Shareholders shall determine the election by another or other votes until a choice is made; and if a vacancy shall at In case of any time happen among the Directors by death, resignation, or removal vacancy from the Province, such vacancy shall be filled for the remainder of the. 5 year by a majority of the Directors; and the said nine Directors with the said ex officio Directors shall form a Board of Directors.

IX. The number of Directors which shall form a quorum for the trans- Quorum for action of business may be regulated by the By-laws of the Company, and transaction of until such By-laws shall be passed, a majority of the Directors shall form business. 10 such quorum; Provided that the Directors may employ one of their num- Proviso. ber as a paid Director.

X. The persons qualified to be elected Directors of the said Company, Qualification under this Act, shall be any Sharehelder holding stock to the amount of of Directors. five hundred pounds, who shall have paid up all calls on such Stock.

XI. No calls of money from the Shareholders shall exceed ten per cent. Amount of 15 instalments. on their shares.

XII. Each stockholder shall be entitled to the number of votes propor- scale of votes tioned to the number of shares which he or she shall have held in his or her own name at least one month prior to the time of voting, according to the 20 following rates, that is to say: one vote for each share not exceeding four; five votes for six shares; six votes fo eight shares; seven votes for ten

shares; and one vote for every five shares above ten.

XIII. The said Company shall have power to become parties to Promis- Company may sory Notes and Bills of Exchange, for sums not less than twenty five pounds, become parties 25 and any such Promissory Note made or endorsed, and any such Bill of Ex- Notes, &c. change, drawn, accepted or endorsed by the President or Vice-President of the Company, and countersigned by the Secretary and Treasurer, and under the authority of a majority of a quorum of the Directors, shall be binding upon the Company, and every such Promissory Note or Bill of Ex-30 change, made, drawn, accepted or endorsed by the President or Vice-Presi-

dent of the said Company, and countersigned by the Secretary and Treasurer as such, either before or after the passing of this Act, shall be presumed to have been properly made, drawn, accepted or endorsed, as the case may be, for the Company, until the contrary be shewn; and in

- 35 no case shall it be necessary to have the Seal of the Company affixed to any such Bill of Exchange or Promissory Note, nor shall the President, Vice-President, r the Secretary and Treasurer of the Company, so making, drawing, accepting or endorsing any such Promissory Note or Bill of Exchange, be thereby subjected individually to any liability whatever;
- 40 Provided always, that nothing in this section shall be construed to authorize Provise. the said Company to issue any Note payable to bearer, or any Promissory Note intended to be circulated as money, or as the Notes of a Bank.

XIV. The guage of the said Railway shall not be broader or narrower Guage of than five feet six inches. Railway.

45 XV. This Act shall be a Public Act.

Public Act.

SCHEDULE A.

Know a men by these presents, that I, of (insert the name of the wife also, if she is to release her Dower, or for any other reason to join in the conveyance) do hereby, in consideration of

paid to me (or as the case may be) by the North Western Railway Company, the receipt whereof is hereby acknowledged, grant, bargain, sell, convey and confirm unto the said North Western Railway Company, their successors and assigns for ever, all that certain parcel or tract of land situate (describe the land) the same having been selected and laid out by the said Company for the purpose of their Railway, to have and hold the said land and premises, together with the hereditaments and appurtenances thereto to the said North Western Railway Company, their successors and assigns for ever; (if there be Dower to be released, add) "and I (name of wife) hereby release my Dower on the premises.

Witness my (or our) hand (or hands) and seal (or seals), this day of one thousand eight hundred and

Signed, sealed and delivered

A. B. [L. S.] C. D. [L. S.]

in presence of

(And if the wife j in)