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No. 344.

1st Session, 4th Parliament, 16 Victoria, 1853.

BILL.

An Act to incorporate *The Port Stanley
and London Railway Company.*

Received and Read a first time, Thursday, 14th.
April, 1853.

Second Reading, Friday, 15th April, 1853.

Mr DIXON.

QUEBEC:

PRINTED BY JOHN LOVELL, MOUNTAIN STREET.

1852-3.]

BILL.

[No. 344.

An Act to incorporate *The Port Stanley and London Railway Company.*

WHEREAS it is highly desirable that a Railway should be made from Port Stanley to intersect the Great Western Railroad at or near the Town of London, and the persons hereinafter mentioned have petitioned to be incorporated for that purpose; Preamble.
5 Be it therefore enacted, &c.,

That M. Anderson, G. W. Boëgs, W. D. Hale, G. R. Williams, Robt. Thomson, Wm. H. Higman, J. M. Batt, Boyce Thomson, Lawrence Lawraison, Lionel Ridout, S. S. Pomroy, E. Jones Parke, E. Leonard, Wm. Smith, J. Morrice, Freeman Talbot, and Ollis W. Hymen, together with such other person or persons as shall under the provisions of this Act become subscribers to or proprietors of any share or shares in the Railway hereby authorized to be made, and their several and respective heirs, executors, administrators, curators or assigns, being proprietors of any share or shares in the said Railway, shall be and are hereby united into a Company for constructing, maintaining and working the said Railway, according to the rules, orders and directions of this Act, and shall for that purpose be one body corporate and politic by the name and style of "The Port Stanley and London Railway Company," and the said Company shall be and are hereby authorized and empowered from and after the passing of this Act, by themselves, their deputies, agents, officers, workmen and servants, to make and complete a Railway, to be called "The Port Stanley and London Railway," from Port Stanley on Lake Erie to intersect the Great Western Railroad at or near the Town of London, at such point, as shall be found most convenient and advantageous for the intersection thereof, the said line being first approved by the Governor in Council. Certain persons incorporated.
Corporate name and general powers.
Line of Railway.

II. And be it enacted, That the Guage of the said Railway shall be five feet six inches. Guage.

III. And be it enacted, That it shall be lawful for the said Company to raise and contribute among themselves, in such proportions as to them shall seem meet and convenient, a competent sum of money for making and completing the said Railway and all such other works, matters and conveniences as may be found necessary Company may raise the requisite capital

- for making, effecting, preserving, improving, completing, maintaining and using the said Railway and other works; Provided always, that the parties hereinbefore named, or a majority of them, shall cause books of subscription to be opened in the Town of London, and Village of Port Stanley and elsewhere as they may from time 5 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 the *Canada Gazette* and such other newspapers as they or a majority of them think proper, of the time 10 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 the said Company, and shall 15 have the same rights and privileges as such, as are hereby conferred in the several persons who are herein mentioned by name as members of the said Company.
- Books of sub-
scription to be
opened.
- Notice.
- Rights and
liabilities of
subscribers.
- Amount of
Capital.
- Application of
Capital.
- Shares to be
£25 each.
- Directors may
call in instal-
ments.
- Proviso.
- IV. And be it enacted, That the sum to be raised or subscribed shall constitute the Capital Stock of the said Company, and shall 20 not exceed in the whole the sum of ; and the money to be raised and subscribed is hereby directed and appointed to be laid out and applied in the first place, for paying and discharg- 25 ing all fees and disbursements for obtaining and passing this Act, and for making the plans, surveys and estimates incident thereto, 25 and all the rest, residue and remainder of such money, for and towards making, completing and maintaining the said Railway and other the purposes of this Act, and no other use, intent or purpose whatever.
- V. And be it enacted, That the said Capital Stock of the said 30 Company shall be divided into shares of twenty-five pounds currency each, and each holder of or subscriber for any share or shares shall have a part of all the profits of the said undertaking propor- 35 tionate to the number of shares he shall hold or have subscribed for, and shall pay a part of the expenses incurred in carrying this Act 35 into effect, proportionate to the number of shares he shall hold or have subscribed for.
- VI. And be it enacted, That it shall and may be lawful for the Directors at any time to call upon the Shareholders for such sum or sums of money as they may require upon each and every share which 40 the Shareholders may subscribe for, payable by such instalments and at such times, and in such proportion as the Directors of the said Company may see fit; Provided that no such instalment shall exceed ten per cent of the Capital Stock so subscribed; And pro-

vided also that no second or other instalment shall be called for Proviso.
within three months of the date of the next previous call.

VII. And be it enacted, That the first General Meeting of the First General Meeting, and election of Directors.
subscribers to the said undertaking shall be held at the Town of London, whenever shares in the Capital Stock of the
said Company shall have been *bonâ fide* subscribed for, and
paid thereon as hereinafter provided, and at such meeting nine persons,
being each a subscriber for at least six shares, who shall have paid
per centum thereon, shall be chosen Directors, five of
whom shall form a *Quorum*, to hold their office until the first
Annual Meeting of the Shareholders; and due notice shall be given Notice.
of the time and place of such first meeting, by the persons hereinbefore
appointed, in the manner provided for with regard to the notice to be given
by them touching the books of subscription.

VIII. And be it enacted, That the Annual Meetings of the Share- Annual General Meetings
holders of the Company shall be held at the place and on the day in
each year to be fixed by the By-laws of the said Company, by which
also the mode of calling Special Meetings of the Shareholders shall be
fixed, and all other matters and things relative to the manner of con-
ducting and managing the business and affairs of the said Company,
for which no special provision is made by this Act; but no such Proviso.
By-law shall be inconsistent with the provisions of this Act or with
the laws of this Province.

IX. And be it enacted, That all the provisions of the Act of the Certain provisions of Acts relative to the Great Western Railway Company, incorporated with this Act
Parliament of Upper Canada, passed in the fourth year of the Reign
of His late Majesty King William the Fourth, and intituled, "*An Act to incorporate the London and Gore Railroad Company,*"
and the Acts of the Parliament of this Province reviving, extending,
or amending the same, or relating to the Company since called
"The Great Western Railway Company," which shall be in force
at the time of the passing of this Act, (whether passed during the
present or any former Session of the Provincial Parliament,) and
which shall not be inconsistent with this Act or provide for matters provided
for by this Act, shall be and are hereby incorporated with this
Act, and shall extend and apply to the Company hereby constituted,
and the Railway which they are empowered to make, as fully and
effectually as if the said provisions were herein repeated and re-
enacted with respect to the said Company and to the said Railway;
and all the provisions of the said Acts which are so incorporated
with this Act, shall be intended and included by the expression Words "this Act," interpreted.
"this Act" whenever it is used herein.

X. And be it enacted, That the said Company shall have the Power to borrow money, &c.
power and authority to borrow money, from time to time, for making,
completing, maintaining and working their said Railway, as they may

think advisable, and to pledge the lands, tolls, revenues and other property of the Company for the due payment thereof.

Navigation of Rivers, &c., not to be impeded.

XI. And be it enacted, That in the construction of the said Port Stanley and London Railway, the Directors thereof or their agents shall not by the erection of any bridge, or otherwise 5 obstruct or impede the navigation of any river, brook or stream of water, over or alongside of which it may be necessary to construct the said Railway.

Provision for union with Great Western Railway Company.

XII. And be it enacted, That it shall be lawful for the Directors (if authorized by any General Meeting of the Shareholders, or a 10 majority thereof, to be called for that purpose,) to enter into or make any arrangement with the Directors of the Great Western Railway Company, or any other Railway Company now or hereafter to be chartered in any part of this Province, for the union, junction and amalgamation of the said Port Stanley and London 15 Railway Company, with any other Railway Company, or for the purchase by the one Company of the Railway of the other, as may be by mutual agreement decided upon between such Companies aforesaid.

Great Western Railway Company may unite the said Railway with their's.

XIII. And be it enacted, That the Directors of the Great Wes- 20 tern Railway Company shall have and are hereby invested with full power and authority at any time hereafter, by By-law or By-laws to that effect, to incorporate the Capital Stock of the said Port Stanley and London Railway Company, with the Capital Stock of the said Great Western Railway Company on equal terms with 25 the Capital Stock of the said Great Western Railway Company, and from thenceforth the same shall be one and the same stock, and the said Port Stanley and London Railway, shall become part and parcel of the Great Western Railway, as if originally constructed by the said Great Western Railway Company, and 30 subject to all the regulations of the said Company, in the same manner as other portions of the Line of the said Great Western Railway, and the Capital of the Great Western Railway Company shall be increased accordingly, and from the date of such amalgamation of the said Capital Stock and Line of road of the said Port 35 Stanley and London Railway Company, with the said Great Western Railway Company, so much of this Act as may be inconsistent with such amalgamation shall cease and determine, but any provisions thereof not so inconsistent shall remain in force, and shall apply to the Line of Railway hereby authorized, and to the Great 40 Western Railway Company, and the Directors, officers and agents thereof.

Public Act.

XIV. And be it enacted, That this Act shall be a Public Act.