

Technical and Bibliographic Notes / Notes techniques et bibliographiques

The Institute has attempted to obtain the best original copy available for filming. Features of this copy which may be bibliographically unique, which may alter any of the images in the reproduction, or which may significantly change the usual method of filming are checked below.

- Coloured covers / Couverture de couleur
- Covers damaged / Couverture endommagée
- Covers restored and/or laminated / Couverture restaurée et/ou pelliculée
- Cover title missing / Le titre de couverture manque
- Coloured maps / Cartes géographiques en couleur
- Coloured ink (i.e. other than blue or black) / Encre de couleur (i.e. autre que bleue ou noire)
- Coloured plates and/or illustrations / Planches et/ou illustrations en couleur
- Bound with other material / Relié avec d'autres documents
- Only edition available / Seule édition disponible
- Tight binding may cause shadows or distortion along interior margin / La reliure serrée peut causer de l'ombre ou de la distorsion le long de la marge intérieure.
- Blank leaves added during restorations may appear within the text. Whenever possible, these have been omitted from filming / Il se peut que certaines pages blanches ajoutées lors d'une restauration apparaissent dans le texte, mais, lorsque cela était possible, ces pages n'ont pas été filmées.
- Additional comments / Commentaires supplémentaires:
 - Cover title page is bound in as last page in book but filmed as first page on fiche.
 - Cover title cut off.

L'Institut a microfilmé le meilleur exemplaire qu'il lui a été possible de se procurer. Les détails de cet exemplaire qui sont peut-être uniques du point de vue bibliographique, qui peuvent modifier une image reproduite, ou qui peuvent exiger une modification dans la méthode normale de filmage sont indiqués ci-dessous.

- Coloured pages / Pages de couleur
- Pages damaged / Pages endommagées
- Pages restored and/or laminated / Pages restaurées et/ou pelliculées
- Pages discoloured, stained or foxed / Pages décolorées, tachetées ou piquées
- Pages detached / Pages détachées
- Showthrough / Transparence
- Quality of print varies / Qualité inégale de l'impression
- Includes supplementary material / Comprend du matériel supplémentaire
- Pages wholly or partially obscured by errata slips, tissues, etc., have been refilmed to ensure the best possible image / Les pages totalement ou partiellement obscurcies par un feuillet d'errata, une pelure, etc., ont été filmées à nouveau de façon à obtenir la meilleure image possible.
- Opposing pages with varying colouration or discolourations are filmed twice to ensure the best possible image / Les pages s'opposant ayant des colorations variables ou des décolorations sont filmées deux fois afin d'obtenir la meilleure image possible.

This item is filmed at the reduction ratio checked below / Ce document est filmé au taux de réduction indiqué ci-dessous.

10x		12x		14x		16x		18x		20x		22x		24x		26x		28x	<input checked="" type="checkbox"/>	30x		32x
-----	--	-----	--	-----	--	-----	--	-----	--	-----	--	-----	--	-----	--	-----	--	-----	-------------------------------------	-----	--	-----

No. 89.

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

BILL

An Act to authorize the Brantford and Buffalo Joint Stock Railroad Company to construct a Railway from Fort Erie to Goderich.

Received and Read a first time, Tuesday, 21st
September, 1852.

Second Reading, Wednesday, 22nd Sept., 1852.

HON. MR. ATT. GEN. RICHARDS.

QUEBEC :

(89)

BILL.

An Act to authorize the Brantford and Buffalo Joint Stock Railroad Company to construct a Railway from Fort Erie to Goderich.

WHEREAS certain persons having associated themselves together, Preamble.
for the purpose of constructing a Railroad from Fort Erie to intersect Recital.
the Great Western Railroad at or near the Town of Brantford, and having
complied with all the requirements of the Act passed in the twelfth year of
5 Her Majesty's Reign, and intituled, "*An Act to authorize the formation of* 12 Vic., c. 84.
Joint Stock Companies for the construction of Roads and other works, in
Upper Canada," did under the provisions of the said Act as extended by
the Act passed in the session held in the thirteenth and fourteenth years of
Her Majesty's Reign, and intituled, "*An Act to amend and extend the pro-* 13 and 14 Vic.
10 *visions of an Act passed in the twelfth year of Her Majesty's Reign, inti-* c. 72.
tuled, 'An Act to authorize the formation of Joint Stock Companies for the
construction of Roads and other Works in Upper Canada," become a body
Corporate by the name and style of "*The Brantford and Buffalo Joint*
Stock Railroad Company," and were by that name acknowledged by the
15 Legislature in the Act passed in the session held in the fourteenth and
fifteenth years of Her Majesty's Reign, and intituled, "*An Act to repeal so* 14 and 15
much of the Act thirteenth and fourteenth Victoria, chapter seventy-two, as Vic., c. 121,
relates to the construction of Railways," and were expressly exempted
from the effect of the repeal operated by the said Act; And whereas the
20 said Brantford and Buffalo Joint Stock Railroad Company have expended
large sums of money on their Railway between Fort Erie and Brant-
ford, so that the works on the said Railway are in a very advanced state;
And whereas the said Company have by their petition, represented
that being desirous of extending their said Railway from the Town of
25 Brantford aforesaid to the Town of Goderich, in the County of Huron, and
holding themselves to be thereunto empowered by the provisions of
the Act passed in the session last aforesaid, and intituled, "*An Act to* 14 and 15
amend the Act intituled, 'An Act to authorize the formation of Joint Vic., c. 122.
Stock Companies for the construction of Roads and other works in Upper
30 *Canada,*" they prepared to extend their said Railway accordingly,
and opened books of subscription for raising the additional Stock re-
quired for the purpose, and obtained subscribers for the same, and that
among others the County Council of United Counties of Huron, Perth
and Bruce, have resolved to empower the Warden thereof to sub-
35 scribe for shares in the Stock of the said Company to the amount of one
hundred and twenty-five thousand pounds, and have adopted for publica-
tion, and have printed and published the requisite By-law; and that
the said Company have caused surveys and plans to be made for the
proposed extension: And whereas the said Company have further

represented, that although they believe their powers under the Acts aforesaid to be sufficient to enable them to effect such extension as aforesaid, yet that numerous advantages would accrue as well to themselves as to the Public, if the provisions of "*The Railway Clauses Consolidation Act*" passed in the now last session were extended to them, and their 5 rights and duties were regulated by its enactments: And whereas it is right and for the public good to grant the prayer of the said Company; Be it therefore enacted, &c.,

Name of company changed. That the Incorporated Company hereinbefore mentioned heretofore known 10 by the name of "*The Brantford and Buffalo Joint Stock Railroad Company*," shall from and after the passing of this Act be a body corporate by the name or style of "*The Buffalo, Brantford and Goderich Railway Company*" and by that name the present members of the said Brantford and Buffalo Joint Stock Railroad Company, and all such persons and parties 15 as shall under the provisions of this Act become Shareholders in the Railway hereby authorized to be made, their several and respective heirs, executors, administrators, successors and assigns, shall be and remain an incorporated Company for constructing, maintaining and working the Railway, hereinafter mentioned, under the provisions of this Act and the said 20 Company shall be and are hereby authorized and empowered by themselves, their deputies, agents, officers, workmen and servants to make and complete a Railway to be called "*The Buffalo, Brantford and Goderich Railway*," from Fort Erie Ferry on Lake Erie in the County of Welland opposite the City of Buffalo to the Town of Brantford, in the 25 County of Brant, and thence to the Town of Goderich, on Lake Huron, in the County of Huron, with power to make and construct a Branch Railway to any point on the Niagara River within a distance of two miles from the main terminus on Lake Erie.

Company empowered to construct a certain railway.

Property and liabilities of the Company to continue in them by their real name. II. And be it enacted, That from and after the passing of this Act, all 30 and singular the property of the said Brantford and Buffalo Joint Stock Railroad Company, whether the same be real or personal estate, or of what kind and nature soever, shall henceforth be and become the property of the Buffalo, Brantford and Goderich Railway Company, and of their 35 successors and assigns, and the Buffalo, Brantford and Goderich Railway Company shall thenceforth be subject to be held responsible for all contracts, agreements and obligations made and entered into by the said Brantford and Buffalo Joint Stock Railroad Company; or which shall or may thereafter be made or entered into by the President of the said Com- 40 pany under the authority of any By-laws or Resolutions of the said Company; Provided always, and be it declared and enacted, That neither the change made by this Act in the name of the said Company, nor any thing else herein contained, shall be construed to make the said Com- 45 pany a new Company or a new Corporation, so as to cause any action, suit or proceeding to which the said Company may be a party to abate or cease, but the same may, upon suggestion of the passing of this Act, be continued by or against the said Company, by the name hereby assigned to it; and every subscription to the Stock of the said Company by its present name shall be to all intents and purposes as binding, valid and effectual, and shall vest in and impose upon the subscriber the same 50 rights and liabilities as if made after the passing of this Act and to the Stock of the said Company by the name hereby assigned to it.

Change of name not to make that company a new corporation.

III. And be it enacted, That the By-laws, Rules and Regulations of the said Company made before the passing of this Act, shall remain in force, and shall apply to the whole Railway hereby authorized to be constructed, in so far and in so far only as they may be consistent
 5 into the provisions of this Act, and until they shall be repealed altered or amended by others to be made under this Act, and the provisions of the Act herein first above mentioned and of the Act amending the same under which the said Company was originally constituted and has heretofore acted, shall after the passing of this Act cease to apply to
 10 the said Company or to their Railroad and works, except in so far as relates to rights acquired under the said Acts or either of them by the said Company or others, and except in so far as relates to any action, suit or proceeding commenced by or against the said Company before the passing of this Act, which shall be continued, governed and completed
 15 by and under the provisions of the Acts last referred to.

Present by-laws to remain in force until altered.

IV. And be it enacted, That the several clauses of "*The Railway Clauses Consolidation Act*," passed during the now last Session of the Provincial Parliament, with respect to the first, second, third, and fourth clauses thereof, and also the several clauses of the said last mentioned
 02 Act, with respect to "Intepretation," "Powers," "Plans and Survey," "Lands and their valuation," "Highways and Bridges," "Fences," "Tolls," "General Meetings," "Directors, their election and duties," "Shares and their transfer," "Municipality," "Shareholders," "Actions for Indermnty and Fines and Penalties, and their prosecution," "Working
 25 of the Railway," and "General Provisions," shall be incorporated with this Act, and shall accordingly apply to the said Company and the said Railway, except only in so far as it may be expressly otherwise provided by this Act, or as they may be inconsistent with the express enactment thereof; and the expression "this Act" when used here shall
 30 be understood to include the Provisions of "*The Railway Clauses Consolidation Act*" which are incorporated with this Act as aforesaid.

Certain clause of 44 and 15 Vic.. c. 51, incorporated with this act.

V. And be it enacted, That any Shareholder in the said Company, whether a British subject or alien, or a resident in Canada or elsewhere,
 35 has and shall have equal right to hold stock in the said Company, to vote on the same, and to be eligible to office in the said Company.

Aliens may vote.

VI. And be it enacted, That it shall and may be lawful for the said "*Buffalo, Brantford and Goderich Railway Company*" to increase the Capital Stock of the said Company by such sums as may be required to enable them to complete the said Railway from Fort Erie to the Town of Goderich aforesaid, *via* the Town of Brantford aforesaid, and for the completion of the works necessary for the efficient working and maintaining the said Railway; provided the whole Capital Stock of the said Company shall not at any time exceed the sum of seven hundred and fifty thousand pounds, currency; and the said Capital Stock shall be divided
 45 into shares of five pounds each; and such increase of Capital Stock may be effected either by the admission of new Subscribers or Shareholders, or the additional sum may be raised by subscription among the present Shareholders, or such increase may be effected in both the said ways.

Increase of capital authorized.

Amount of each share.

Proportion of
votes to
shares.

VII. And be it enacted, That any party or parties holding Stock in the Company hereby incorporated to the amount of one hundred shares, or any amount less than one hundred shares, shall at the meetings of the Shareholders have one vote for each share; and for any amount over one hundred shares and not over six hundred shares, one vote to two shares; 5 and for any amount over six hundred, and not over fifteen hundred shares, one vote to three shares; and for any amount exceeding fifteen hundred shares, one vote to four shares.

Present Direc-
tors to remain
in office until
next annual
meeting.

VIII. And be it enacted, That the present Directors of the said Company shall continue in office as such, until the first Monday in June, in the 10 year 1853, and that on the said day, and on the first Monday in June, in each year thereafter, or on such other day as shall be appointed by any By-law, an annual general meeting of the said Shareholders shall be held at the office of the Company, for the time being, to choose nine Directors in the room of those whose period of office shall have expired, 15 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 1,000 shares at least, that a special general meeting of Shareholders is necessary to be held, it shall be lawful for each ten or more of them to cause fifteen days notice, at least, to be given thereof in 20 three 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 and intention of such special meeting respectively; and the Shareholders are hereby authorized to meet pursuant to such notice, and proceed to the execution of the powers by this 25 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 after 30 the said first Monday in June, 1853, the number of Directors of the said Company shall always be nine, and they shall hold their office from the time of their election until the next annual meeting, or until others shall be elected in their stead, but any Directors may be re-elected; and at any meeting of the said Directors, five Directors shall be a quorum, 35 and shall be competent to use and exercise all and any of the powers hereby vested in the said Directors: Provided that no person shall hereinafter be elected a Director who shall not hold at least shares in the stock of the Company.

Special gen-
eral meeting.

Number of
Directors.

Quorum.

Gauge.

IX. And be it enacted, That the Gauge of the said Railway shall be 40 five feet six inches and neither more nor less.

How stock
owned by Mu-
nicipalities
shall be repre-
sented.

X. And be it enacted, That the stock now held and owned or here- after to be subscribed for or acquired in the Company by Municipal Cor- porations shall be represented by the Mayor, Warden or Reeve for the time being of such respective Municipal Corporation, and that such 45 Mayor, Warden or Reeve, respectively, shall be entitled to vote upon all the stock subscribed for by such respective Municipal Corporation in proportion to the amount so subscribed for, and shall be eligible as Direc- tors of the said Company in respect of such stock, in addition to the

privileges to which such Municipality or the Mayor, Warden or Reeve thereof shall be entitled as representing it as under the provisions of this Act.

5 XI. And be it enacted, That for and notwithstanding any thing in
 any Act or Law to the contrary, it shall be lawful for the said Company
 hereby incorporated to hold to them and to their successors and assigns,
 as lessees of the Crown, the Ferry at Fort Erie Rapids, subject to the con-
 10 ditions and restrictions and according to the terms mentioned and con-
 tained in the lease thereof to the said Brantford and Buffalo Joint Stock
 Railroad Company, and to possess, exercise and enjoy all the powers,
 rights and privileges which appertain thereto, and also from time to time
 to construct, purchase, own and maintain one or more steam vessels for
 the purpose of transporting goods and passengers to and from the United
 15 States, and to subscribe for, purchase and hold shares in the stock of
 any other Railroad or Steamboat Company, either in this Province or
 in the United States, and to pay for the same out of any money belong-
 ing to the Company.

Company may
 hold stock in
 other compa-
 nies of certain
 kinds.

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

Public Act