

No. 310.

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

BILL.

An Act to amend the Act incorporating *The Peterborough and Port Hope Railway Company.*

Received and Read a first time, Tuesday, 22nd.
March, 1853.

Second Reading, Wednesday, 23rd March, 1853.

MR. SMITH, (Durham.)

QUEBEC:

PRINTED BY JOHN LOVELL, MOUNTAIN STREET,

671.

1852-3.]

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[No. 310.

An Act to amend the Act incorporating *The Peterborough and Port Hope Railway Company.*

WHEREAS *The Peterborough and Port Hope Railway Company* have by their Petition to the Legislature, prayed that certain amendments be made to the Act incorporating the said Company, and it is expedient to grant the prayer of their Petition ;
5 Be it therefore enacted, &c.,

Preamble.

That the Capital Stock of *The Peterborough and Port Hope Railway Company*, incorporated by the Act passed by the Legislative Assembly and Legislative Council of this Province, in the ninth year of Her Majesty's Reign, but sanctioned by Her Majesty in Council in the tenth year of Her Reign, and intituled, "*An Act to incorpoate the Peterborough and Port Hope Railway Com-*"
10 "*pany,*" shall be any sum not exceeding two hundred and fifty thousand pounds currency.

Capital of the Company increased, 10 Vic., cap. 109.

II. And be it enacted, That the said Company shall have full power and authority to construct a Branch Railway from some point on the main line of their Railway, through the Townships of Cavan, Emily, Ops and Mariposa, to some point at or near the Western limit of the said Township of Mariposa; and to such Branch line all the provisions of the said Act incorporating the said Company, as
20 amended by any subsequent Act or by this Act, and all the powers vested in the Company by the said Act so amended, shall extend as fully and effectually as to the main line of the said Railway.

Company may make a Branch Line.

III. And be it enacted, That the eighteenth Section of the said Act incorporating the said Company, shall be and is hereby repealed ; and that the following Clauses of "The Railway Clauses
25 "Consolidation Act," that is to say:—Section thirteen respecting "FENCES,"—the sub-Sections marked respectively, *Firstly*, and *Secondly*, of Section fourteen respecting "TOLLS,"—the sub-Sections marked respectively, *Thirdly*, *Fourthly*, *Seventhly*, *Eleventhly*,
30 *Twelfthly*, *Thirteenthly*, *Fourteenthly*, *Fifteenthly*, *Sixteenthly*, *Seventeenthly*, *Eighteenthly*, *Nineteenthly*, *Twentiethly*, *Twenty-firstly*, *Twenty-secondly*, and *Twenty-thirdly*, of Section sixteenth, respecting "DIRECTORS—THEIR ELECTION AND DUTIES,"—Section

Certain Sections of 14 and 15 Vic., cap. 51, incorporated with the Act incorporating the said Company.

twenty, respecting "ACTIONS FOR INDEMNITY, AND FINES AND PENALTIES, AND THEIR PROSECUTION,"—the sub-Sections marked respectively, *Sixthly*, *Seventhly* and *Eighthly* of Section twenty-one respecting "WORKING OF THE RAILWAY,"—and the sub-Sections marked respectively, *Firstly*, *Eighthly* and *Ninthly*, of Section twenty-two, respecting "GENERAL PROVISIONS," shall be and they are here hereby incorporated with, and shall be held to make part of the said Act incorporating the *Peterborough and Port Hope Railway Company*. 5

Company may
be parties to
Promissory
Notes, &c.

Proviso.

IV. And be it declared and enacted, That the said Company have and shall have power to become parties to Promissory Notes and Bills of Exchange; and any Promissory Note made or indorsed, and any Bill of Exchange drawn, accepted or endorsed by the President of the Company with the counter signature of the Secretary of the Company or any two of the Directors for the Company, and under the authority of a majority of a *quorum* of the Directors, is and shall be binding upon the Company; and every Promissory Note or Bill of Exchange made, drawn, accepted or indorsed by the President of the said Company or any two of the Directors as such, with the counter signature of the Secretary, shall be presumed to have been properly made, drawn, accepted or indorsed, as the case may be, for the Company, until the contrary be shewn; and in no case is it or 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 or Directors or Secretary of the Company so making, drawing, accepting or indorsing or assisting to make, draw or indorse any such Promissory Note or Bill of Exchange, be thereby subjected individually to any liability whatever; Provided always, that nothing in this Clause shall be construed to authorize the said Company to issue any Note payable to bearer, or any Promissory Note intended to be circulated as money, or in any way to act as Bankers or carry on the business of Banking, nor shall any Note issued or to be issued by the said Company be assignable or transferable otherwise than by indorsement in full. 10 15 20 25 30

Public Act.

V. And be it enacted, That this Act shall be a Public Act. 35