

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

No. 144.

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

BILL.

An Act to extend the Charter of *The Montreal and Lachine Rail-road Company*; to authorise them to continue the said Rail-road, and for the Incorporation of *The St. Lawrence and Ottawa Grand Junction Rail-road Company*.

Received and Read, a first time, Friday, 2nd
March, 1849.

Second Reading, Thursday, 5th March, 1849.

M. HOLMES.

B I L L .

An Act to continue and extend the Montreal and Lachine Rail-Road, and to incorporate "*The St. Lawrence and Ottawa Grand Junction Rail-road Company.*"

WHEREAS the continuation and extension of the existing Rail-road from Montreal to Lachine, from some point in the Parish of Lachine, in Lower Canada, to some point at or as near as conveniently may be to Prescott in Upper Canada, will contribute to the benefit of a populous and fertile country, and to the prosperity and advancement of both sections of this Province; And whereas, the Montreal and Lachine Rail-road Company, incorporated by an Act passed in the ninth year of Her Majesty's Reign, intituled "*An Act to incorporate the Montreal and Lachine Rail-road Company,*" which Company is hereinafter spoken of as "the said Company," are desirous to make and maintain the said Rail-road from some point in the Parish of Lachine, to or as near as may conveniently be to Prescott aforesaid, which said road is hereinafter spoken of as "the said Road:" Be it therefore enacted, &c.

And it is hereby enacted by the authority of the same, That it shall be lawful for the said Company, and the said Company shall be and are hereby authorised and empowered from and after the passing of this Act, by themselves, their deputies, agents, officers, workmen and servants to continue and extend their existing Rail-road, with one or more sets of rails or tracks, and to be worked by locomotive engines, or on the atmospheric principle, or in such other mode as the said

Company empowered to extend their Road.

Company may deem expedient, from any convenient place in the Parish of Lachine, to some place at or as near as conveniently may be to Prescott, in Upper Canada, either in the direction of St. Ann's, Vaudreuil, Rigaud and towards Hawkesbury, and thence to some place at or as near as conveniently may be to Prescott, or in the direction of Saint Eustache, Saint Andrews, Grenville, and thence to some place at or as near as conveniently may be to Prescott aforesaid, in whatever line may by the said Company be found most convenient, and to make and construct all such embankments, bridges and other works, either temporary or permanent, as the said Company shall think necessary or convenient for the making and constructing of the said Rail-road across or over the River Ottawa, or across or over any other rivers, canals, brooks, streams or other waters, or across or over any hills, or valleys; and to erect and construct such buildings, engines, machinery, apparatus and other works, either temporary or permanent for the purposes of this Act, as the said Company shall think expedient; and to erect and construct such wharves, warehouses, stores and other buildings, at either termination thereof, and at such other places along the line of the said Rail-road, as the said Company shall think expedient; and to build, purchase, hold and use one or more steamboats or other vessels to ply on the waters of the Rivers Saint Lawrence or Ottawa, or either, as the said Company may think it expedient; and the said Company shall have power and authority to purchase and hold lands, (which word shall throughout this Act, be understood to include the land and all that is upon or below the surface thereof, and all the real rights and appurtenances thereunto belonging, for them and their successors and assigns for the use of the said Rail-road and works, without Her Majesty's *Lettres d'Amortissement*, (saving nevertheless to any Seigneur or Seigniors within whose cen-

sive any such lands, tenements and hereditaments so purchased may be situate, his and their several and respective *droits d'indemnité* and all other Seigniorial rights whatever,) 5 and also to alienate and convey any of the said lands purchased for the purposes aforesaid; and any person or persons, bodies politic or corporate or communities may give, grant, bargain, sell or convey to the said Com- 10 pany any lands for the purposes aforesaid, and the same may re-purchase of the said Company without *Lettres d'Amortissement*.

II. And be it enacted, That for the purposes aforesaid, the said Company, their de- 15 puties, agents, officers, workmen and servants, are hereby authorised and empowered to enter into and upon any lands and grounds of the Queen's Most Excellent Majesty, not hereinafter excepted, or of any 20 person or persons, bodies politic or corporate, or collegiate or communities or parties whatsoever, and to survey and take levels of the same or any part thereof, and to set out and ascertain such parts thereof as they shall 25 think necessary and proper for making the said intended Rail-road, and other works hereby authorised, and all such works, matters and conveniencies as they shall think proper and necessary for making, effecting, 30 preserving, improving, completing, maintaining and using the said intended Rail-road and other works, and also to bore, dig, cut, trench, get, remove, take, carry away and lay earth, clay, stone, soil, rubbish, trees, roots of trees, 35 beds of gravel or sand, or any other matters or things which may be dug or got in making the said intended Rail-road or other works, on or out of the lands or grounds of any person or persons adjoining or lying convenient 40 thereto, and which may be proper, requisite or necessary for making or repairing the said intended Rail-road or the works incidental or relative thereto, or which may hinder, prevent or obstruct the making, using or com- 45 pleting, extending or maintaining the same.

Power to
make survey,
&c.

respectively, according to the intent and purpose of this Act; and to make, build, erect and set up, in or upon the said intended Rail-road, or upon their lands adjoining or near the same respectively, such and so many 5
 houses, warehouses, toll-houses, watch-houses, telegraphs or other signals, weighing beams, cranes, fire engines, steam engines, or other engines either stationary or locomotive, inclined planes, machines and other 10
 works, ways, roads and conveniencies; as and when the said Company of Proprietors shall think requisite and convenient for the purposes of the said Rail-road and works; and also from time to time to alter, repair, divert, 15
 widen, enlarge and extend the same, and also to make, maintain, repair, and alter any fences or passages over, under or through the said intended Rail-road, and to turn and change the course of any river not being a navigable 20
 river, or of any brooks, streams or other waters, the courses of which the said Company may find it necessary to turn and change; and to construct, erect, make, and do all other matters and things which they 25
 shall think convenient and necessary for the making, effecting, extending, preserving, improving, completing and easy using of the said intended Rail-road and other works, in pursuance of and according to the true intent 30
 and meaning of this Act; they, the said Company, doing as little damage as may be in the execution of the several powers to them hereby granted, and making satisfaction in manner hereinafter mentioned to the owners 35
 or proprietors of, or the persons interested in the lands, tenements or hereditaments, water, water courses, brooks or rivers respectively, which shall be taken, used, removed, prejudiced, or of which the course shall be 40
 altered, or for all damages to be by them sustained in or by the execution of all or any of the powers given by this Act; and this Act shall be sufficient to indemnify the said Company and their deputies, agents, officers, 45
 workmen and servants, and all other persons

Satisfaction to
 be made for
 damages.

whatsoever for what they or any of them, shall do by virtue of the powers hereby granted, subject nevertheless to such provisions and restrictions as are hereinafter mentioned.

III. And be it enacted, That where the said Rail-road shall cross any public highway, the ledge or flange of such Railway for the purpose of guiding the wheels of the carriages, shall not rise above the level of such road more than one inch, nor shall the rail or rails of the said Road be placed below the level of such road more than one inch; and that where any bridge shall be erected or made by the said Company for the purpose of carrying the said Rail-road over or across any public highway, the space of the arch of any such bridge shall be formed, and shall at all times be and be continued of such breadth as to leave a clear open space under every such arch of not less than ten feet, and of a height from the surface of each public highway in the centre of such arch, of not less than twelve feet; and that at all places where it may be necessary to erect, build, or make any bridge or bridges for carrying any public carriage road or highway over the said Rail-road, the ascent of every such bridge for the purpose of every such road, shall not be more than one foot in twenty feet, and a good and sufficient fence shall be made on each side of every such bridge, which fence shall not be less than four feet above the level of such bridge; Provided always, that no land shall be taken by the said Company from any public highway, but their right shall be limited to the laying down, across, or along the same, the rails and other contrivances forming part of the said Rail-road, subject to the limitations mentioned in the section, or any other part of this Act.

Precautions where the Road shall cross a highway.

Proviso.

IV. And be it enacted, That the said Company shall at each and every place

Further precautions.

where the said Rail-road shall cross any highway on a level, erect and keep up a sign-board, stretching across the highway at such a height as to leave sixteen feet from the highway to the lower edge of the sign-board, and having the words, "Railway Crossing," painted on each side of such sign-board in both the French and English languages, and in letters not less than six inches in length; and for each and every neglect to comply with this requirement, the said Company shall incur a penalty of five pounds currency

Quantity of
Land which
may be taken.

V. And be it enacted, That the said lands or grounds which may be taken without the consent of the proprietor thereof, by the said Company, for the purposes of the present Act as hereinafter provided, shall not exceed thirty yards in breadth, except in such places where the said intended Rail-road shall be raised more than five feet higher or cut more than five feet deeper than the present surface of the land, and in such places where it shall be judged necessary to have offsets for the locomotives or other engines and carriages using the said intended Rail-road to be or pass each other (and not above one hundred yards in breadth in any such place, or where any houses, warehouses, wharves, toll-houses, watch-houses, weighing-beams, cranes, fixed engines or inclined planes may be erected, or goods, wares or merchandize be delivered), and then not more than two hundred yards in length by one hundred and fifty yards in breadth.

Taking beach
lots, crossing
rivers, &c.

VI. And be it enacted, That it shall be lawful for the said Company to take, use, occupy and hold, but not to alienate, so much of the public beach or beach road of the River Ottawa and of the River Saint Lawrence, or of the land covered with the waters of either of those rivers, as may be required for the said Railroad and other works which they are hereby authorised to construct; Provided always that the said Company shall not cause

Proviso.

any obstruction in, or impede the free navigation of the said River Saint Lawrence, or of the said River Ottawa, or of any other navigable river to or across which their Railroad shall be carried, and whenever the Railroad shall be carried across any navigable river, the said Company shall adopt such means by the elevation of the bridge, or by the construction of drawbridges or swing bridges, to ensure the passage of rafts and vessels, as the Governor in Council shall direct, upon a plan of the same being submitted and approved by the Governor in Council; nor shall the said Company construct any wharf, bridge, pier or other work upon the public beach or bed of any navigable river, or upon land covered by the waters thereof, until they shall have submitted the plan of such work to the Governor of this Province in Council, nor until the same shall have been approved by him in Council as aforesaid, and it shall be lawful for the said Company to employ and use any bridge or bridges which they may construct as a toll-bridge or toll-bridges, and from time to time, and at all times, to ask, demand, receive, recover and take to and for the proper use, benefit and behoof of the said Company, their successors and assigns, a toll from every person passing on any such bridge or bridges, and on all carriages, animals, goods and property of any kind that may pass over any such bridge, such tolls to be imposed, regulated, recovered and received as hereinafter provided; And it shall also be lawful for the said Company to sell and alienate, or to lease such toll-bridges, or any of them, or the right to levy such tolls on the said toll-bridges, or any of them, to any party or parties whatsoever.

Swing
bridges.

VII. And be it enacted, That it shall and may be lawful for all bodies politic, corporate or collegiate, corporations aggregate or sole, communities, *grevés de substitution*, guardians, curators, executors, administrators and all other trustees or persons whatsoever, not

Parties empowered to convey to the Company.

only for and on behalf of themselves, their heirs and successors, but also for and on behalf of those whom they represent, whether infants, issue unborn, lunatics, idiots, *femes covert*, or other persons or parties who are or shall be seized, possessed of, or interested in any lands or grounds which the said Company may require for the purposes of this Act, to contract for, sell and convey unto the said Company all or any part of such lands or grounds so required by the said Company for the purposes of this Act; and that all contracts, agreements, sales, conveyances and assurances so to be made, shall be valid and effectual in law to all intents and purposes whatsoever; any law, statute, usage or custom, to the contrary thereof in any wise notwithstanding and that all bodies politic, corporate or collegiate, or communities, and all persons whatsoever, so conveying as aforesaid, are hereby indemnified for what he she, or they, or any of them, shall respectively do by virtue of or in pursuance of this Act.

Compensation
to be an annual
rent in certain
cases.

VIII. Provided always, and be it enacted, That any body politic, community, corporation, or other person or persons whomsoever, who cannot in common course of law sell or alienate any lands or grounds so required by the said Company for the purposes of this Act, shall agree upon a fixed annual rent as an equivalent, and not upon a principal sum; to be paid for the lands or grounds so required by the said Company for the purposes of this Act; and in case the amount of such rent shall not be fixed by voluntary agreement or compromise, it shall be fixed in the manner hereinafter prescribed, and all proceedings shall in that case be regulated as hereinafter prescribed; and for the payment of the said annual rent, and every other annual rent agreed upon or ascertained and to be paid by the said Company for the purchase of any lands, or for any part of the purchase money of any land which the vendor

shall agree to leave in the hands of the said Company, the said Rail-road and the tolls to be levied and collected thereon, shall be, and are hereby made liable and chargeable, in 5 preference to all other claims or demands thereon, whatsoever, the deed creating such charge and liability being duly registered.

IX. Provided always, and be it enacted, That whenever there shall be more than one 10 party proprietor of any land or property *par indivis*, any agreement made in faith between the said Company and any party or parties proprietor, or being together proprietors of one-third or more of such land or property as to 15 the amount of compensation for the same or for any damages thereto, shall be binding as between the remaining proprietor or proprietors *par indivis* and the Company, and the proprietor or proprietors who have so agreed 20 may deliver possession of such land or property to the Company, or empower them to enter upon the same, as the case may be.

Certain agreements made binding.

X. And be it enacted, That it shall be lawful for the said Company to apply to the 25 several owners of, or parties hereby empowered to convey the lands through which such Rail-road is intended to be carried, or which may suffer damage from the making of the said Rail-road, or the exercise of any of the 30 powers granted to the said Company by this Act, and to agree with such owners or parties respectively, touching the compensation to be paid to them by the said Company for the purchase thereof, and for the respective 35 damages, and to make such agreements and contracts with the said parties touching the said lands or the compensation to be paid for the same, or for the damages, or as to the mode in which the said compensation shall 40 be ascertained as to such parties and the said Company shall seem expedient, and in case of disagreement between the said Company and the said owners or parties or any of them, then all questions which shall arise between

Company to settle with the owners of property.

them and the said Company shall be settled as follows, that is to say:—

Arbitration if
the Company
and party do
not agree.

The Company shall serve a notice upon the opposite party, containing—a description of the lands to be taken, or of the powers 5 intended to be exercised with regard to any lands (describing them)—a declaration that the Company are ready to pay some certain sum (or rent as the case may be) as compensation for such lands or for the damages arising from the exercise of such powers—10 and the name of a person whom they appoint as their Arbitrator if their offer be not accepted, and such notice shall be accompanied by the certificate of a sworn Surveyor disinterested 15 in the matter and not being the Arbitrator named in the notice, that the land (if the notice relate to the taking of land) is required for the said Rail-road and works, that he knows such land or the amount of damages 20 likely to arise from the exercise of such powers, and that the sum so offered is in his opinion a fair compensation for such land and for such damages as aforesaid; and in any case wherein the said Company shall 25 have given and served the notice aforesaid, it shall be lawful for the said Company to desist from such notice and afterwards give new notice with regard to the same or other lands, to the same or any other party, but 30 the Company shall in any such case be liable to the party first notified for all damages or costs by him incurred in consequence of such first notice and desistment; and no change of ownership after the Company shall have 35 given and served the notice aforesaid, shall affect the proceedings, but the party notified shall be still deemed the owner except as to the payment of the sum awarded.

Arbitration,
&c.

If the opposite party be absent from the 40 District in which the land is situate (if the notice relate to the taking of land) or from the District in which the power sought to be exercised, is to be exercised, or be unknown

to the said Company, then upon application either to any Justice of the Court of Queen's Bench in Upper Canada or of the Superior Court in Lower Canada having jurisdiction 5 in such District, or in Upper Canada to the Judge of the District Court of such District, or in Lower Canada to any Circuit Judge, accompanied by such certificate as aforesaid and by an affidavit of some officer of the 10 Company that such opposite party is so absent, or that after diligent inquiry the party on whom the notice ought to be served, cannot be ascertained, such Justice or Judge shall order a notice as aforesaid (but without 15 the certificate) to be inserted during one calendar month in the *Canada Gazette* and in some other newspaper to be named by such Justice or Judge.

If within ten days after the service of such Arbitration. 20 notice or within one month after the first publication thereof as aforesaid, the opposite party shall not notify to the Company that he accepts the sum offered by the said Company, or notify to them the name of a person 25 whom he appoints as Arbitrator, then any such Justice or Judge may, on the application of the said Company, appoint some sworn Surveyor to be sole Arbitrator for determining the compensation to be paid by the Com- 30 pany.

If the opposite party shall within the time Arbitration. aforesaid notify to the said Company the name of the person such party shall appoint as Arbitrator, then the said two Arbitrators 35 shall jointly appoint a third, or if they cannot agree upon a third, then any such Justice or Judge shall on the application of the said party or of the Company, (previous notice of at least one clear day having been given to 40 the Arbitrator of the other party,) appoint a third Arbitrator.

The said Arbitrators or sole Arbitrator Arbitration. being sworn before a Justice of the Peace,

who is hereby empowered and required to administer such oath faithfully and impartially to perform the duties of their office, shall proceed to ascertain the compensation to be paid by the Company, in such way as they or he or a majority of them shall deem best, and the award of such Arbitrators or of any two of them or of the sole Arbitrator, shall be final and conclusive: Provided that no such award shall be made or any official act done by such majority, except at a meeting held at a time and place of which the other Arbitrator shall have had at least one clear day's notice, or to which some meeting at which the third Arbitrator was present shall have been adjourned; but no notice to the Company or opposite party shall be necessary, but they shall be held sufficiently notified through the Arbitrator they shall have appointed or whose appointment they shall have required.

Arbitration. Provided always, that the award given by any sole Arbitrator shall never be for a less sum than that offered by the Company as aforesaid, and if in any case where three Arbitrators shall have been appointed, the sum awarded be not greater than that offered by the Company, the costs of the arbitration shall be borne by the opposite party and deducted from the compensation, otherwise they shall be borne by the Company; and in either case they may, if not agreed upon, be taxed by any such Justice or Judge.

Arbitration. The Arbitrators or a majority of them or the sole Arbitrator, may examine on oath or solemn affirmation the parties or such witnesses as shall voluntarily appear before him or them, and may administer such oath or affirmation; and any wilfully false statement made by any witness, under such oath or affirmation, shall be deemed wilful and corrupt perjury and punishable accordingly.

Arbitration. The Justice or Judge by whom any third Arbitrator or sole Arbitrator shall be appoint-

et, shall at the same time fix a day on or before which the award shall be made; and if the same be not made on or before such a day or some other day to which the time for making it shall have been prolonged, either by the consent of the parties or by the order of any such Justice or Judge (as it may be for reasonable cause shewn, on the application of such sole Arbitrator or one of the 5 Arbitrators, after one clear day's notice to the others,) then the sum offered by the Company as aforesaid shall be the compensation to be paid by them.

If the Arbitrator appointed by the said 15 Company or by the opposite party, or any third Arbitrator, whether appointed by the two Arbitrators or by any such Justice or Judge, shall die, be, or become disqualified or unable to act, then on proof thereof to the 20 satisfaction of any such Justice or Judge, such Justice or Judge shall authorise the Company, or the opposite party, or the two Arbitrators to appoint another person in the place of him who shall be so deceased, dis- 25 qualified or unable to act, or shall himself appoint another person as third Arbitrator as the case may require, but no recommencement or repetition of any prior proceedings shall be necessary.

30 It shall be no disqualification to the Surveyor or other person offered or appointed as Valuator or as Arbitrator, that he be employed by the Company or by the opposite party, or that he have previously expressed an opinion 35 as to the amount of compensation, or that he be related or of kin to any member of the Company, provided he be not himself personally interested in the amount of such compensation; and no cause of disqualifica- 40 tion shall be urged against any Arbitrator appointed by any such Justice or Judge after his appointment, but shall be made before the same, and its validity or invalidity summarily determined by such Justice or Judge,

and no cause of disqualification shall be urged against any Arbitrator appointed by the Company or by the opposite party after the appointment of a third Arbitrator; and the validity or invalidity of any cause of disqualification urged against any such Arbitrator before the appointment of a third Arbitrator shall be summarily determined by any such Justice or Judge on the application of either party; after one clear day's notice to the other, and if such cause be determined to be valid the appointment shall be null, and the party offering the person so adjudged to be disqualified shall be held to have appointed no Arbitrator. 5

Arbitration. No award made as aforesaid shall be invalidated by any want of form or other technical objection, if the requirements of this Act shall have been complied with; and if the award shall state clearly the sum awarded; and the lands or other property, right or thing for which such sum is to be the compensation; nor shall it be necessary that the party or parties to whom the sum is to be paid be named in the award. 20

Possession may be taken on payment or tender. XI. And be it enacted, That upon payment or legal tender of the compensation or annual rent so awarded or determined or agreed upon by the parties themselves as aforesaid; to the party entitled to receive the same, or upon the deposit of the amount of such compensation in the manner hereinafter mentioned; the award shall vest in the said Company the power forthwith to take possession of the lands or to exercise the right or to do the thing for which such compensation or annual rent shall have been awarded; and if any resistance or forcible opposition shall be made by any person or party to their so doing, any such Justice or Judge may, on proof to his satisfaction that the requirements of this Act have been complied with, issue his warrant to any sheriff or to any bailiff or other proper person, to put the said Company in possession and to put down such resistance or opposi- 25 30 35 40

tion, which such sheriff or bailiff or other proper person, taking with him sufficient assistance, shall accordingly do; and such warrant shall also be issued by any such Justice or Judge (and shall be addressed and executed as aforesaid) on the application of the Company before any award or agreement shall have been made, upon the affidavit of any Engineer in the employ of the said Company, that the immediate possession of any land, or the power immediately to take any materials or to do anything mentioned in the notice to the party interested, is necessary to the carrying on of the said works of the said Company, and upon the said Company giving security to the satisfaction of such Justice or Judge, in such sum as he shall direct (not being less than twice the sum mentioned in the certificate of the sworn Surveyor) to pay or deposit the amount to be awarded as compensation, in such case with interest from the date of such warrant, and all costs, within thirty days after the award shall have been made.

25 XII. And be it enacted, That the compensation awarded as aforesaid; or agreed upon by the said Company, and any party who might, under this Act, validly convey the lands, or then in lawful possession thereof as proprietor, for any lands which might be lawfully taken under this Act, without the consent of the proprietor, shall stand in the stead of such land; and any claim to, or mortgage, hypothec or incumbrance upon the said land or any portion thereof, shall, as against the said Company, be converted into a claim to the said compensation, or to a like proportion thereof, and they shall be responsible accordingly whenever they shall have paid such compensation, or any part thereof, to a party not entitled to receive the same, saving always their recourse against such party: Provided always, that if the lands so taken be situate in Lower Canada, and if the said Company shall have reason to fear any such claims,

Case of incumbrance or defect of title provided for.

mortgages, hypothecs or incumbrances, or if
 any party to whom the compensation or an-
 nual rent, or any part thereof, shall refuse to
 execute the proper conveyance and guarantee,
 or if the party entitled to claim the same 5
 cannot be found, or be unknown to the Com-
 pany, or if for any other reason the Company
 shall deem it advisable, it shall be lawful for
 them to pay such compensation into the hands
 of the Prothonotary of the Superior Court 10
 for the District in which such land is situate,
 with the interest thereon for six months, and
 to deliver to the said Prothonotary an authen-
 tic copy of the conveyance, or of the award 15
 if there be no conveyance, and such award
 shall thereafter be deemed to be the title of the
 said Company to the land therein mentioned,
 and proceedings shall thereupon be had for
 the confirmation of the title of the said Com-
 pany, in like manner as in other cases of con- 20
 firmation of title, except that, in addition to
 the usual contents of the notice, the Protho-
 notary shall state that the title of the Com-
 pany, (that is the conveyance or award;) is
 under this Act, and shall call upon all per- 25
 sons entitled to, or to any part of the lands,
 or representing, or being the husbands of any
 parties so entitled, to fyle their oppositions
 for their claims to the compensation, or any
 part thereof, and all such oppositions shall be 30
 received and adjudged upon by the Court,
 and the judgment of confirmation shall forever
 bar all claims to the lands or any part there-
 of, (including dower not yet open,) as well
 as all mortgages, hypothecs or incumbrances 35
 upon the same; and the Court shall make
 such order for the distribution, payment or
 investment of the compensation and for the
 securing of the rights of all parties interested
 as to right and justice according to the pro- 40
 visions of this Act and to law, shall appertain;
 and the costs of the said proceedings or any
 part thereof, shall be paid by the said Com-
 pany or by any other party, as the Court shall
 deem it equitable to order; and if judgment 45
 of confirmation be obtained in less than six

months from the payment of the compensation to the Prothonotary, the Court shall direct a proportionate part of the interest to be returned to the Company, and if from any error, 5 fault or neglect of the Company, it shall not be obtained until after the six months are expired, the Court shall order the Company to pay to the Prothonotary the interest for such further period as may be right.

10 XIV. And be it enacted, That in order to enable the said Company to make the said Rail-road and to carry on and complete the said undertaking, it shall be lawful for the said Company, over and above, and in addition 15 to the sum of seventy-five thousand pounds currency, which the said Company was authorized to raise by the said Act passed in the ninth year of Her Majesty's Reign, incorporating the said Company; and 20 over and above and in addition to the sum of forty thousand pounds currency, which the said Company is authorised to raise by an Act passed in the present Session of this Parliament, intituled, "*An Act to further* 25 "*amend the Act incorporating The Montreal and Lachine Rail-road Company, and for other purposes,*" to raise amongst themselves, or by the admission of new subscribers, or in both those ways; a further sum, not exceeding 30 seven hundred and fifty thousand pounds currency, to be divided into sixty thousand shares of twelve pounds ten shillings currency each, and if it be determined to raise the said last mentioned sum of money, or 35 any part thereof, by the admission of new subscribers, it shall be lawful for the Directors of the said Company to cause a book or books of subscription to be opened in such places as they may think fit, and every 40 person who, or whose attorney, shall write his or her signature in any such book, shall thereby, (subject to the provisions hereinafter contained,) become a proprietor in the said Company to the extent of the number of 45 shares for which he shall so subscribe; and

Additional capital may be raised.

no subscriber for, or holder of any of the shares to be so issued, shall be in any manner whatsoever, liable for or charged with the payment of any debt due by, or demand against the said Company, beyond the amount of his, her or their share in the additional capital of the said Company, not paid up by him, her or them respectively, and the shares to be subscribed for and issued under the present Act, shall be sold and transferred in the manner provided by the said Act incorporating the said Company, with respect to the shares subscribed for, and issued under that Act, and all the provisions of the said last mentioned Act shall be applicable to the shares to be subscribed for and issued under the provisions of the present Act, excepting in so far as the provisions of the said Act incorporating the said Company are inconsistent with the provisions of the present Act.

How sums subscribed may be called in, &c.

XV. And be it enacted, That as soon as the said sum of seven hundred and fifty thousand pounds currency, or any part thereof, shall have been subscribed for as aforesaid, it shall be lawful for the Directors of the said Company, from time to time, to call in and require the payment of the sums so subscribed for, as the same may be required for the use of the said Company: Provided, however, that no call shall exceed the one tenth part of the whole of each share, and that no calls be made payable, but at a distance of at least one calendar month from each other, and the owner or owners of the shares to be so issued, shall pay any call or calls that may be so made, upon his, her or their shares, to such bank or person and persons and at such time and place as shall be appointed by the Directors of the said Company, of which three weeks notice shall be given in the *Canada Gazette*, or in any other manner that may be determined by the Directors of the said Company, and any call or calls made by the Directors of the said Com-

pany, and not paid at the time appointed for the payment thereof, shall bear interest in favor of the said Company, at the rate of six per centum per annum; from the time
5 the same shall be made payable, until paid, and the holder of the shares in respect of which such default shall be made, shall thereby forfeit in favor of the said Company a sum equal to five per centum on the amount
10 of the calls so not paid at the time appointed for the payment thereof, and it shall be lawful for the said Company to sue for and recover the said calls with interest as aforesaid and the penalties aforesaid, together
15 with costs of suit in any Court having jurisdiction in civil cases to the amount sued for; and in any such action or suit at law it shall not be necessary to set forth the special matter; but it shall be sufficient for the Com-
20 pany to declare that the defendant is a holder of one or more shares in the said Company, as the case may be, and is indebted to the said Company in the sum of money to which the call or calls in arrear and penalties
25 shall amount, with interest as aforesaid, and in any such action it shall not be competent for the defendant to plead the general issue, but he may by a plea in denial traverse any particular matter or matters of fact alleged
30 in the Declaration, or specially plead some particular matter or matters of fact in confession and avoidance; and in order to maintain any such action, it shall be sufficient for the Company to prove by any one witness
35 whether in the employ of the Company or not, that the defendant is indebted to the Company in the sum of money so sued for, or in any less amount, and thereupon, unless legal proof to the contrary be adduced, and
40 without any proof as to the making of the calls sued for or the giving of notice thereof, the Court shall give judgment in favor of the Company, for the sum of money and interest and penalties so sued for and proved
45 to be due, with costs of suit; and if any person or persons shall neglect to pay any

such call or calls so due by him, her or them, for the space of one calendar month after the time appointed for the payment thereof, then it shall be in the power of the Directors of the said Company if they see fit so to do, 5 to declare the share or shares in respect of which such default shall have been made, forfeited, and thereupon to cause the same to be sold by public auction, for the payment of any calls, interest or penalties due 10 in respect thereof, and the proceeds of the sale after deducting the costs thereof, and after the Company shall have been paid the calls, interest and penalties due in respect of the shares so sold, shall be paid over to such 15 defaulter: and the President or Vice-President of the Company shall have power to transfer the shares so sold to the purchaser thereof—and thereupon such defaulter shall be absolved from all his obligations in res- 20 pect of the shares so sold, as well with respect to the said Company as with respect to the creditors thereof.

Road may be
divided into
Sections.

XVI. And in order to facilitate the said Company in the making and completing of the 25 Rail-road and other works which the said Company are hereby empowered to make and complete, it is hereby further enacted, That it shall be lawful for the said Company to divide the said Rail-road into sections, and to make and 30 complete any part or section of the said Road, and to receive tolls thereon even although the other parts of the said Road be not made or commenced, and it shall be in the power of the said Company to allow any 35 persons willing to subscribe as aforesaid, for any part of the said sum of seven hundred and fifty thousand pounds currency, on condition of the sum or sums so subscribed being appropriated to the making and com- 40 pleting of any particular section or part of the said Road, to subscribe on that condition for any part of the said last mentioned sum of money, and any money so subscribed for the making and completing of any particular 45

section of the said Road, shall be laid out
 for the making and completing of that section
 of the said Road in respect of which such
 money may have been so subscribed, and for
 5 no other purpose whatever, unless with the
 consent of the shareholders who may have
 subscribed the same; and the shareholders
 who shall have subscribed for the making of
 any particular section of the said Road, shall
 10 not be entitled to vote as shareholders or
 receive any dividends or profits, to exercise
 any of the rights or to enjoy any of the
 advantages of shareholders, until the sec-
 tion of the Road for the making of which
 15 they shall have so subscribed, shall have
 been made and completed, and be in use or
 fit for use as a Rail-road; but as soon as the
 section of the Road for the making of which
 they shall have so subscribed, shall have
 20 been made and completed, and in use or fit
 for use as a Rail-road, then the said last
 mentioned shareholders shall forthwith be
 entitled to exercise all the rights of share-
 holders in the said Company, and as such,
 25 to participate in all the gains and profits to
 be made by the said Company, from and
 after the making and completing of the sec-
 tion of the said Road, for the making of
 which the said last mentioned shareholders
 30 shall have specially subscribed for.

XVII. And be it enacted, That the said
 Company may from time to time lawfully
 borrow, either in this Province or elsewhere,
 such sum or sums of money, not exceeding
 35 the sum of seven hundred and fifty thousand
 pounds currency, as they may find expe-
 dient, and at such rate of interest

and may make the
 bonds, debentures or other securities they
 40 shall grant for the sum so borrowed, payable
 either in currency or in sterling, and at such
 place or places within or without this Pro-
 vince, as they may deem advisable, and may

by such bonds, debentures or other securities, mortgage, hypothecate or pledge the lands, tolls, revenues and other property movable or immovable of the said Company, for the due payment of the said sums 5 and of the interest thereon; and any of the said debentures whereby it is intended to mortgage and hypothecate any real estate of the Company situate in Lower Canada, may be in the Form No. 1. annexed to this 10 Act, or in any other form that may be determined on by the said Company.

and any Registrar in whose office it may at any time hereafter be necessary to register the said debentures in order to give full 15 effect thereto, is hereby empowered and required to enter and register at full length any of the said Debentures which may be brought to be registered, on receiving the usual fee in that behalf, and without any me- 20 morial or proof as to the execution thereof being necessary; and any of the said debentures whereby it is not intended to mortgage and hypothecate the real estate of the said Company, may be in the Form No. 2, 25 to this Act annexed, or in any other form that may be determined on by the said Company; and it shall be lawful for the said Company, if they see fit, to make the said debentures to be so issued by the said Com- 30 pany, or any part thereof that they may think proper, payable to bearer, and every debenture so issued payable to bearer, shall be transferable by delivery, and shall with all

interest due thereon, be payable to the bearer thereof, who shall, until the contrary be proved in all law proceedings and on all other occasions, be held to be the proprietor 5 of such debenture and of the debt and interest intended to be secured thereby, with all the hypothecary and other rights and privileges attached thereto; and it shall also be lawful for the said Company to grant such 10 debentures either in payment or as security to any person or persons, corporation or corporations to whom the said Company may be indebted, and who may be willing to receive the same; and every debenture 15 issued under the provisions of this Act, purporting to hypothecate any real estate in Lower Canada, shall have the same authenticity, force and effect, with respect to the date thereof, the mortgage or hypothec there- 20 by given, and in all other respects without exception, as if the same had been executed in the notarial form according to the laws of that part of the Province of Canada heretofore constituting the Province of Lower 25 Canada; and every instrument purporting to be a debenture issued under the provisions of this Act, shall by all Courts, Judges and other officers and upon all occasions, be considered and treated as genuine and au- 30 thentic until the contrary be proved; Provided always, that nothing herein contained, shall defeat or in any way impair any bond, debenture, obligation hypothec, mortgage, or other security heretofore granted by the 35 said Company.

XVIII. And be it enacted, That as soon as any part of the said Rail-road, shall be so far completed as to be capable of being used, it shall and may be lawful for the Directors 40 of the said Company, from time to time to fix and regulate the Tolls and charges to be received for the transportation taken of all passengers, goods, merchandises and other property of any kind thereon or on any of the 45 said steamboats or vessels; and also to fix and

Tolls may be taken.

regulate the tolls to be received from any person or persons passing on any bridge to be used as a Toll-bridge as hereinbefore provided, and on any carriages, animals goods or property of any kind that may pass 5 over any such bridge, and it shall be lawful for the said Company to ask from, demand, receive, recover and take the said tolls and charges to and for their own proper use and benefit; and the said Directors shall also 10 have full power and authority to regulate the time and manner in which passengers, goods merchandises and property of every kind shall be transported, taken and carried on the said Rail-road, steamboats, vessels and 15 Bridges, and in case of denial of payment of any such tolls or charges or any part thereof on demand to the person or persons appointed to receive the same, the Company may sue for the same in any Court having 20 competent Jurisdiction, or the person or persons to whom the said tolls and charges ought to be paid may, and he is, and they are hereby empowered to seize and detain such goods, merchandises and property of any 25 kind for or in respect whereof such tolls and charges ought to be paid, and to detain the same until payment thereof, and in the meantime the said goods, merchandises or other property shall be at the risk of the owner or 30 owners thereof, and the said Directors shall have full power from time to time to lower or reduce all or any of the said tolls or charge, and again to raise the same, as often as they shall think it necessary for the inter- 35 ests of the said undertaking; Provided always, that the same tolls and charges shall be payable at the same time and under the same circumstances, upon all persons and upon all goods, merchandises and other pro- 40 perty, so that no undue advantage, privilege or monopoly may be afforded to any person or class of persons.

Votes.

XIX. And be it enacted, That the number of votes to which each proprietor of 45

shares to be issued under the present Act, shall be entitled on every occasion when in conformity to the provisions of this Act, and to the said Act incorporating the said Company, the votes of the shareholders are to be given; shall be in the proportion to the number of shares held by him; that is to say: one vote for every four shares, under two hundred; Provided always, that no one proprietor shall have more than fifty votes and all proprietors of shares, whether in this Province or not, may vote by proxy, in the manner and form and with the effect mentioned in the twenty-eighth Section of the said Act, incorporating the said Company.

XIX. And be it enacted, That all the provisions contained in the twenty-first, twenty-second, thirty-ninth, fortieth, forty-third, forty-fifth, forty-seventh, forty-ninth, fifty-second, fifty-third, fifty-fourth and fifty-eighth Sections of the said Act, passed in the ninth year of Her Majesty's Reign, intituled, "*An Act to incorporate the Montreal and Lachine Rail-road Company*," and also all the provisions contained in the twenty-third and thirty-eighth Sections of that Act, as amended by a certain other Act passed in the Session of the Parliament of this Province, held in the tenth and eleventh years of Her Majesty's Reign; intituled, "*An Act to amend the Act to incorporate the Montreal and Lachine Rail-road Company, and for other purposes therein mentioned*," are hereby, in so far as they are not inconsistent with the provisions of the present Act, extended and made applicable to the Rail-road and other works which the said Company is hereby authorised to make and complete, by virtue of the present Act; and all the said provisions, excepting in so far as they may be inconsistent with the provisions of the present Act, shall have the same force and effect with respect to the said Road and other works, which the said Company is empowered to make and complete by the

Certain provisions of former Acts extended to the present case.

present Act, and with respect to all the powers granted to, and all the duties and obligations imposed upon the said Company by the present Act, and with respect to the rights, obligations and liabilities of third parties, and all other respects without any exception, as if all the said provisions were repeated at full length in the present Act, and thereby, and in the most perfect form of words, extended and made applicable to all those works, powers, acts, deeds, matters and things, to which it is by the present Section declared that they shall be extended and be applicable, and in every case where a Justice of the Peace is ordered or empowered by any of the said provisions of law in the present Section above referred to, to discharge any duty, then it shall be lawful for any Justice of the Peace in any District, in which the said Company shall have made or commenced any of the works authorized to be made and completed under the present Act, to discharge such duty; and in any case where it may be the duty of any Justice of the Peace to commit any party to gaol under any provision contained in the present Act, or in the said Act incorporating the said Company, or in any Act amending the last mentioned Act, such Justice of the Peace shall cause the party so liable to be committed to any gaol, to which such Justice of the Peace may lawfully cause such person to be committed; and in cases where an appeal to the Quarter Sessions is allowed from the judgment of such Justice, such appeal shall be to the Court of Quarter Sessions of the District in which such Justice shall have exercised his jurisdiction in the matter complained of.

Corporations
may become
subscribers.

XX. And be it enacted, That it shall be lawful for all Corporations, whether ecclesiastical or civil, to subscribe for any part of the sum of money, which by virtue of the present Act may be raised by the issuing of shares as aforesaid, and for any such Cor-

poration to exercise all the rights of shareholders in the said Company, with respect to the shares for which they may so subscribe; and it shall also be lawful for
 5 any such Corporation, whether ecclesiastical or civil, to loan any part of the sum of money authorised to be borrowed by the present Act; and to receive in respect of any such loan, any security or securities
 10 which the said Company is empowered to give by the present Act, any law, usage or custom to the contrary notwithstanding.

XXI. And be it enacted That the said Rail-road and other works which the said
 15 Company are by this Act authorized to make and complete; shall be commenced within five years from the passing of this Act, otherwise this Act and every matter and thing therein contained, shall cease and be
 20 utterly null and void; and the said Rail-road shall be completed and fit for public use within twenty years from the passing of this Act, otherwise this Act shall cease to have force and effect with regard to such part of
 25 the said Rail-road and works as shall not have been then completed; but shall remain in full force and effect with regard to such parts of it as shall then be in use or fit for use; and as soon as the said Company shall
 30 have made and completed any section of the said Road, not being less than

When the Road must be completed.

miles in length; it shall be lawful for the said Company, by a resolution of the Directors, to take the name of "*The St.*
 35 *Lawrence and Ottawa Grand Junction Rail-road Company,*" and thereupon they shall give public notice for the space of one month, in the *Canada Gazette*, that they have so taken such name, and from and after the
 40 giving of such notice, the name of the said Company, for all purposes whatsoever, shall be "*The St. Lawrence and Ottawa Grand Junction Rail-road Company,*" but notwithstanding such change in the name of the
 45 said Company, it shall even after such change

be lawful for the Company to sue or be sued in the original name of the said Company, namely, "*The Montreal and Lachine Railroad Company*," for or with respect to any debt, contract, obligation or engagement, 5 made or entered into before such change of name; or for, on account, or in respect of any act, matter or thing done or caused to be done, or omitted to be done before such change of name. 10

Provision for the case of the present Company not making the Road.

XXII. And whereas it may not be in the power of the said Montreal and Lachine Railroad Company to make and complete the said Rail-road and other works, which by the present Act they are empowered to make 15 and complete, and the several persons hereinafter named are desirous to make and complete the said Rail-road and other works, in the event of the said Montreal and Lachine Railroad Company being unable to make 20 and complete the same; Be it therefore enacted, That the Honorable James Ferrier, the Honorable Peter McGill, the Honorable Joseph Bourret, John Young, William Dow, John Boston, James B. Greenshields, 25 William F. Coffin, Thomas A. Stayner, the Honorable George Moffatt, John Frothingham, J. G. Mackenzie, Hugh Taylor, W. Macdonald, D. Davidson, together with such persons as shall under the provisions of this 30 Act, become subscribers as hereinafter provided for, and proprietors of any share or shares in the Rail-road hereby authorised to be made and other works and property hereinafter mentioned, and their several and re- 35 spective heirs, executors, administrators, curators and assigns, being proprietors of any such share or shares, are and shall be, and be united into a Company for carrying on, making, completing and maintaining the 40 said intended Rail-road and other works; in the event of the said Montreal and Lachine Railroad Company being unable to commence the same within the said period of five 45 years as aforesaid, and with all the rights and

powers, and according to the rules, orders
 and directions hereinbefore or hereinafter
 expressed, and shall for that purpose be one
 body politic and corporate by the name of
 5 "*The St. Lawrence and Ottawa Grand Junction
 Rail-road Company,*" and by that name
 shall have perpetual succession, and shall
 name a common seal, and other the usual
 powers and rights of bodies corporate not in-
 10 consistent with this Act, and by that name
 shall and may sue and be sued; and in case
 the said Montreal and Lachine Rail-road Com-
 pany shall be unable to commence the said
 15 Rail-road and other works within the said pe-
 riod of five years as aforesaid, or in case of
 its being declared by a resolution of the Di-
 rectors of that Company, that the said last
 mentioned Company will not make and com-
 plete the said Rail-road and other works; then
 20 in either of the said two cases, The St. Law-
 rence and Ottawa Grand Junction Rail road
 Company, for the purpose of making and
 completing the said Rail-road and other works
 and things incidental thereto, shall have and
 25 possess all the powers without any reserva-
 tion, limitation or exception which the said
 Montreal and Lachine Rail-road Company
 could have had or exercised if they had
 made and completed the said Rail-road and
 30 other works and things incidental thereto;
 and the said St. Lawrence and Ottawa Grand
 Junction Rail-road Company shall in the
 making and completing of the said Rail-road
 and other works, and in the doing of all the
 35 matters and things incidental thereto, have
 the same rights, authorities and claims with-
 out any reservation, limitation or exception
 against all parties, whether individuals or cor-
 porations, that the said Montreal and Lachine
 40 Rail-road Company could have had or exer-
 cised if they had made and completed the
 said Rail-road and other works and things in-
 cidental thereto, and the said St. Lawrence
 and Ottawa Grand Junction Rail-road Com-
 45 pany shall, in making and completing the said
 Rail-road and other works and matters and

things incidental thereto, be subject as regards all parties, whether individuals or corporations, to all the liabilities and obligations to which the said Montreal and Lachine Rail-road Company would have been subject to, had the said Montreal and Lachine Rail-road Company made and completed the said Rail-road and other works and matters and things incidental thereto, and all persons and corporations shall have the same rights and powers with respect to the said St. Lawrence and Ottawa Grand Junction Rail-road Company, and with respect to any shares they may issue or any money they may borrow, that such persons or corporations could have had or exercised with respect to the Montreal and Lachine Rail-road Company, or with respect to any shares they might have issued or any moneys they might have borrowed if they had exercised the powers which they might have exercised under the present Act, and all the provisions of law which would have been applicable to the said Montreal and Lachine Rail-road Company, if they had made, completed or commenced the said Rail-road and other works and matters and things incidental thereto, shall be applicable to, and shall and may be taken advantage of by the said St. Lawrence and Ottawa Grand Junction Rail-road Company, in commencing, making, completing or using the said Rail-road and other works and matters and things incidental thereto, and in either of the said two cases aforesaid, it shall be lawful for any three of the persons incorporated by the present Act, to cause books of subscription to be opened in the manner provided by the

section of this Act, and as soon as number of the said shares shall have been subscribed, a general meeting of the subscribers to the said undertaking shall and may be held for the purpose of electing Directors in the manner and after the notice mentioned in the thirty-first section of the said Act incorporating the Montreal and La-

chine Rail-road Company; and thereupon all the provisions of law applicable to and serving to regulate the affairs of the Montreal and Lachine Rail-road Company, shall
 5 be applicable to and regulate the affairs of the said St. Lawrence and Ottawa Grand Junction Rail-road Company, and the said Rail-road or any part of the said Rail-road which may be made by the last mentioned
 10 Company, shall be called the St. Lawrence and Ottawa Grand Junction Railroad.

XXIII. And be it enacted, That it shall be lawful for the Directors of the said St. Lawrence and Ottawa Grand Junction Rail-
 15 road Company, or a majority of a *quorum* of them, to enter into and make any arrangement with the Directors of any other Rail-road Company, now or hereafter to be chartered in any portion of the country between Mon-
 20 treal and Prescott, and more particularly with the Directors of the Montreal and Lachine Rail-road Company, for the union, junction or purchase of any such Rail-road, and in case of purchase of such Rail-road, such road
 25 shall become to all intents and purposes a portion of the said St. Lawrence and Ottawa Grand Junction Rail-road and the capital stock of the said last mentioned Company shall, if the said Company think fit to increase the
 30 same, be thereupon increased to the extent of the capital stock of the road so purchased.

Arrangements
 may be made
 with other
 Companies.

XXIV. And be it enacted, That the said Rail-road which the said last mentioned Com-
 35 pany are by this Act authorised to make, shall be commenced within five years from the expiration of the time allowed to the Montreal and Lachine Railroad Company to commence the same, and shall be completed and fit for public use within twenty years from the
 40 same time, otherwise this Act shall cease to have any force or effect with respect to any part of the said Rail-road or other works as shall not then be completed; but shall remain

Commence-
 ment and com-
 pletion of
 Road in such
 case.

in force with regard to such parts of it as shall then be completed and in use.

Saving of
rights.

XXV. And be it enacted, That nothing herein contained shall affect or be construed to affect in any manner or way whatsoever the rights of Her Majesty, Her Heirs and Successors, or of any person or persons, or of any bodies politic, corporate or collegiate, such only excepted as are herein mentioned. 5 10

Saving of
power to
amend.

XXVI. And be it enacted, That notwithstanding the privileges hereby conferred, the Legislature may at any time hereafter make such addition to this Act, or such alteration of any of its provisions, as they may think proper for affording just protection to the public, or to any person or persons, body politic or corporate, in respect to their estate, property or rights, or any interest therein, or any advantage privilege or convenience connected therewith, or in respect to any way or right, public or private, that may be affected by any of the powers given by this Act. 15 20

Public Act.

XXVII. And be it enacted, That this Act shall be deemed and taken to be a Public Act, and as such shall be judicially noticed by all Judges, Justices of the Peace and other persons, without being specially pleaded. 25

