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No. 78.

1st Session, 6th Parliament, 21st Victoria, 1858.

(LOCAL BILL.)

BILL.

An Act to legalize certain by-laws of the municipality of Berlin, and the subscriptions of the municipal council for £10,000 towards the stock of the Preston and Berlin Railway Company.

Received and read first time, Thursday, 22nd
April, 1858.

Second reading, Monday, 26th April, 1858.

HON. MR. CAMERON.

WILLIAM SLADDEN,
Parliamentary Agent.

TORONTO:

PRINTED BY JOHN LOVELL, YONGE STREET.

An Act to legalize certain By-laws of the Municipality of Berlin and the subscriptions of the Municipal Council for £10,000 towards the stock of the Preston and Berlin Railway Company.

WHEREAS the President and Directors of the Preston and Berlin Railway Company have by their Petition represented,—that the municipality of the town of Berlin did through their governing body agree to take stock in the said undertaking to the extent of ten thousand pounds, and that upon the faith of such subscription contracts were given out for the construction of the said Railway, to be paid in part by the Debentures of the said municipality, and that by-laws were duly passed and approved of by the ratepayers ratifying the said agreement and authorising such subscription and the issuing of debentures in payment thereof, which debentures by the terms of such contracts were to be given to the contractors therein named; and that upon the issuing of a portion of the said debentures it was ascertained that the same were defective in consequence of an irregularity in the by-law authorizing the same, and the same were accordingly given back to the said municipal council of the town of Berlin in order to be exchanged for others to be issued under an amended by-law: and further, that the ratepayers had refused to pass such amended by-law, and that the municipal council had thereupon refused to redeliver the said debentures, but had, contrary to justice and good faith, wrongfully defaced and destroyed the same, and refused to carry out their said engagement for the subscription of stock,—and they pray that some relief may be granted to them in the premises: And whereas upon the faith of such subscription, contracts were given out, and the said road constructed and duly approved of by the Inspector of Railways, and opened for traffic on the second day of November, A.D. 1857; and it would be manifestly unjust that the contractors who have expended their money in such construction should be deprived of the payment on which they relied, and it is expedient therefore to grant the prayer of such petition: Therefore Her Majesty, &c., enacts as follows:

I. The said by-laws authorising the said subscriptions shall be and are hereby declared to be good and valid in law, notwithstanding any such irregularity as aforesaid; and the said municipal council shall be deemed to have legally subscribed for such stock, and are hereby declared to be stockholders in the said undertaking for the said sum of ten thousand pounds so agreed to be taken.

The said By-laws and subscription confirmed.

II. This Act shall be deemed a public Act.