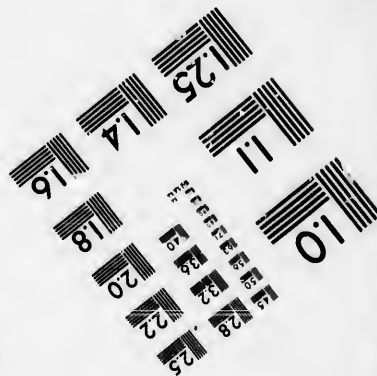
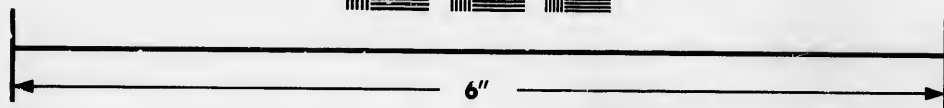
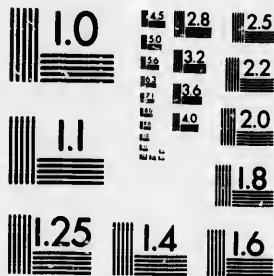


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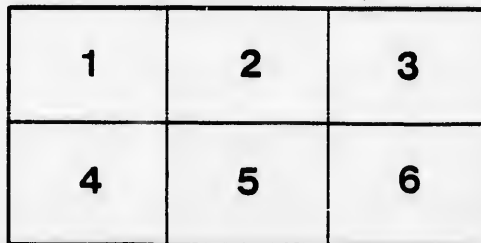
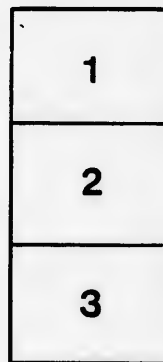
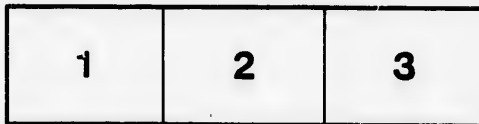
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**Albert Railway Company.**

**ACT OF INCORPORATION**

AND

**Acts in Amendment of and in addition  
thereto.**

WITH

**OTHER ACTS RELATING THERETO.**

AND ALSO

**THE BYE-LAWS OF THE COMPANY,**

ADOPTED JULY 22<sup>ND</sup>. 1873.

**MONROE, N. B.**

Printed by H. T. Stevens, Moncton-Printing Office.

1873.



Albert Railway Company

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MONCTON, N. B.

Printed by H. T. Stevens, Moncton Printing Office.

1873.

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# ALBERT RAILWAY COMPANY.

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Incorporated 1864.

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CAPITAL STOCK, - - - - \$600,000,

WITH POWER TO INCREASE TO \$1,000,000.

---

IN SHARES OF \$50 EACH.

---

**DIRECTORS:**

HON. JOHN LEWIS,  
GEORGE CALHOUN, Esq., JAMES BLIGHT, Esq.,  
GAIUS TURNER, " ELISHA PECK, JR., "  
ABRAM BRAY, " E. P. CLARK, "

**OFFICERS:**

HON. JOHN LEWIS, PRESIDENT.  
THOMAS MCHENRY, Esq., SECRETARY.  
M. B. PALMER, Esq., TREASURER.  
ALEX. MITCHELL, Esq., C. E., ENGINEER.

**CONTRACTORS:**

MESSRS. MACDONALD, COOKE & Co.

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Construction commenced October 8th, 1872.

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MONCTON, N. B.

PRINTED BY H. T. STEVENS, MONCTON PRINTING OFFICE.

1873.

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AN ACT IN AID OF THE CONSTRUCTION OF  
RAILWAYS, 27 Vic. Cap. 3, 1864.

SECTION.

1. Lines towards construction of which Provincial aid to be given.
2. Governor in Council to determine class and character of Lines, &c.
3. Amount of aid to be given.
4. Conditions on which aid to be given.
8. Appointment of Engineer on behalf of Province.

SECTION.

9. Crown Lands may be given for use of Road.
10. Government to have first mortgage on Road; when mortgage shall cease.
11. Company to carry Soldiers, Militia, &c. at any and all times when required. Fares for soldiers, &c. Luggage allowed. Freight of Military stores.

*Passed 11th April, 1864.*

WHEREAS it is deemed advisable to aid the construction of Railways in this Province;

Be it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. That Provincial aid, in the manner hereinafter provided, shall be given towards the construction and completion of the following Lines of Railway, that is to say:—

A Main Line from the City of Saint John to the State of Maine, running as near as may be by the Douglas Valley; and a Line from some point on the European and North American Railway towards the Boundary of Nova Scotia; also an extension of the European and North American Railway to Miramichi: also a Branch to connect the Main Line with the City of Fredericton: another Branch from the Town of Woodstock to connect with the present Saint Andrew's Line: another Branch from the Town of Saint Stephen to connect with the said Saint Andrew's Line: and another Branch to connect the European and North American Railway with Hillsborough, in the County of Albert, at such point therein as may be deemed most desirable.

2. The several Lines of Railway and Branches and Extensions to be constructed under the provisions of this Act, shall be made

on such grades and with such gauges and curvatures, and of such class and character respectively, as the Governor in Council shall determine; and the routes and locations of the said lines and the said several branches and extensions, shall also in all cases be subject to the approval of the Governor in Council.

3. The aid to be granted to the said Lines of Railway and the said Branches and Extensions in the first Section of this Act specified, shall be at the rate of \$10,000 per mile, to be paid as hereinafter provided.

4. If any Company or Body Corporate now or hereafter to be organized, possessing sufficient capital, shall offer to construct the first before mentioned Lines of Railways, and the said Branches and Extensions, or any of them, and shall give such assurance or guarantee of their ability as the Governor in Council may deem necessary, the Governor in Council is hereby empowered and authorized to consent and agree to the building of the said Lines, and the said Branches and Extensions, or any of them, by such Company or Body Corporate, such agreement to be in the name of the Queen, and subject to such securities, clauses and conditions for protecting the public interest and for securing the due completion of such Line or Lines of Railways as the Governor in Council may deem necessary; and so soon as it shall be satisfactorily proved to the Governor in Council that any such Company or Body Corporate shall have *bona fide* expended the sum of \$100,000 in actual work on the Road undertaken to be built by them, it shall be lawful for the Governor in Council to pay to such Company or Body Corporate the sum of \$25,000, being a portion of the said aid, and so in like manner from time to time *pro rata*, until the whole of the said Road undertaken by the said Company or Body Corporate shall be fully completed and in efficient operation, with all necessary station houses, and with substantial and sufficient locomotives and other rolling stock for the accommodation of passengers and transportation of merchandize, when the balance of the said aid of \$10,000 per mile, and no more, shall be paid to such Company or Body Corporate.

8. The Governor in Council is hereby authorized from time to time, to appoint during pleasure a fit and proper person as Engineer on behalf of this Province, whose duty it shall be to watch over the interests of this Province in the construction of the several Lines of Railway hereinbefore specified, and the said Branches and Extensions.

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9. When any of the Lines of Railway in this Act mentioned, or the said Branches or Extensions, shall pass through Crown Lands, the Governor in Council shall grant, for the purposes of such Roads, necessary Crown Lands for tracks, sidings, and stations.

10. That for the purpose of securing the due and efficient completion of all or any of the said Lines of Railway, or Branches and Extensions in the first Section of this Act mentioned, any moneys advanced or paid to any Company or Body Corporate under the provisions of this Act, shall attach and stand, and are hereby declared to be a primary mortgage or first charge in favor of the Queen, for the benefit of this Province, upon such Line or Lines of Railways, and the Branches and Extensions undertaken to be built by such Company or Body Corporate, and upon the stations, station houses, rolling stock, and property of every description, and shall attach immediately upon the advance or payment of any portion of the said aid, upon all property owned by such Company or Body Corporate; and in order to fix and ascertain the amounts from time to time advanced or paid to such Company or Body Corporate, the President and Treasurer of the same shall deliver to the Provincial Treasurer a certificate under their hands, stating the amount so received; which certificate shall be sufficient evidence of such primary mortgage or first charge under this Act; provided always, that on the completion of the Road according to the terms of the agreement, such mortgage or first charge shall cease and determine.

11. Every such Company or Body Corporate as aforesaid, shall be bound to provide such conveyance for the Officers and Soldiers of Her Majesty's Forces, Ordnance Corps, Marines, Militia, or Police Forces, at such time or times, (whether the same shall be the usual hours of starting Trains or not,) as shall be required or appointed by any Officer duly authorized by the Governor for that purpose, and with the whole resources of such Company or Body Corporate, at fares not exceeding two cents per mile for each officer, soldier, marine, or private of such Forces respectively, and also for each wife, widow, or child above twelve years of age, of a soldier, entitled by Act of Parliament or other competent authority to be sent to their destination at the public expense; children under three years of age so entitled to be taken free of charge; and children of three years of age and upwards, but under twelve years, so entitled, being taken at half price of

an adult; provided that every officer conveyed shall be entitled to take with him one hundred weight of personal luggage without extra charge; and every soldier, marine, private, wife, or widow, shall be entitled to take with him or her half a hundred weight of personal luggage without extra charge; all the excess of the above weights of personal luggage being paid for at the rate of not more than eighty cents per one hundred weight per hundred miles; and all public baggage, stores, arms, amunitions, and other necessary things, except gunpowder and other combustible matters, shall be conveyed at charges not exceeding four cents per ton per mile, the assistance of the military or others being given in loading and unloading such goods.

AN ACT IN ADDITION TO THE ACT IN AID OF  
THE CONSTRUCTION OF RAILWAYS.

28 Vic. Cap. 12, 1865.

SECTION.

1. When Company formed, may enter upon Lands to make surveys, &c. Proviso.
2. Powers of Company.
3. Agreement with Guardians, Trustee, or Company, to be valid.

SECTION.

4. Company may alter course of River, &c.
5. Company to keep up Fences.
6. Allowance to Jurors, &c.

*Passed 8th June, 1865.*

WHEREAS by an Act made and passed in the twenty-seventh year of Her Majesty's Reign, intituled *An Act in aid of the construction of Railways*, the Governor in Council is authorized to consent and agree with any Company or Body Corporate possessing sufficient capital, for the construction of certain lines of Railway described in the first Section of the said Act: And whereas it is necessary to empower any Company or body corporate that may so agree, to enter upon private lands for the purpose of carrying on their works;

Be it therefore enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. When and so soon as any agreement shall be entered into by any Company or body corporate for the construction of any of the said lines of Railways, or of any of the branches or exten-

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sions thereof, under and according to the provisions of the said recited Act, such Company or body corporate, by their agents, servants, and workmen, shall and may enter upon any lands of private persons for the purpose of making a survey of the line or route of such contemplated Railroad, and may cut down or remove, where necessary to the making of such survey, any trees, or other obstructions on such lands; provided, however, that before entering on any land for the purpose mentioned in this Section, said Company or body corporate shall notify the owners or persons in possession of such lands, and shall carry out such purpose with as little injury as possible consistently with that object, and no cutting or removal shall be made without the written consent of the owner or person in possession of such lands, or paying for the damages occasioned thereby, such damages to be settled and agreed upon by and between the said Company or body corporate and the owner or respective owners of such lands; and in case the said parties cannot agree, then it shall be lawful for the said Company or body corporate to apply to two of Her Majesty's Justices of the Peace for the County wherein the said lands may be situate, for a Warrant, which Warrant it shall be the duty of the said Justices to direct to the High Sheriff of the County, commanding said Sheriff to summon a jury of five disinterested freeholders or occupiers of land in the said County, at a certain time and place to be named in such Warrant, of which due notice shall be given to the owner or occupier of the land, which jury shall be sworn by any Justice of the Peace for the County, to examine the proposed line of such contemplated Railroad; and in case the said line shall pass through or extend upon any improved lands, and it shall be necessary in order to effect such survey to cut down or remove any trees or other obstructions, then the damages occasioned by such cutting down or removal shall be ascertained and assessed by such jury.

2. Any such Company or body corporate is hereby invested with all the powers, privileges and immunities which are or may be necessary to carry into effect the purposes and objects of the said recited Act, and for that purpose they shall have the right to purchase, take and hold so much of the land or real estate of private persons or Corporations as may be necessary for the location, construction, and convenient operation of the said lines of Railway, or any of the branches or extensions thereof, and the Stations connected therewith; and they shall also have the right

by their engineers, agents, servants, and workmen, to enter upon any such land with horses, cattle, carts, and other carriages, to take, remove, and use for the construction and repair of the said lines of Railway, or any of the branches or extensions thereof, any earth, gravel, stone, timber, trees, bushes, or other material, on or from the land so taken; and they shall have the right of ingress and egress into, upon, and from the adjoining lands, for the purpose of making any necessary repairs to any such Railroad, whenever the same may be necessary; provided, however, that the lands so to be taken for any of the said lines of Railway shall not exceed six rods in width, except when greater width is necessary for excavation or embankment, and the quantity of land taken at each Station, except at the termini or junction of the Railways, shall not exceed five acres; and where the said lines of Railway, or any of the branches or extensions thereof, shall pass through any woodland or forest, the said Company or body corporate shall have the right to cut down and remove any trees standing thereon to the distance of four rods on either side of the said Railroad, which might be liable to obstruct or injure the same; and provided also, that in all such cases the said Company or body corporate shall, before entering upon or taking possession of any such land, pay for the said land and materials so to be taken, used, or appropriated, (in case the owners thereof demand it) such price as they and the owner or respective owners thereof may agree upon; and in case the said parties cannot agree, then the said Company or body corporate shall pay such damages as shall be ascertained and determined in the manner directed in and by the first Section of this Act, together with the cost of assessment; provided nevertheless, that the jury in assessing such damage shall take into consideration the benefit (if any) to the owner of such land by the construction of such Railway, in diminution of the damages, and the land so taken by the said Company or body corporate shall be held as lands taken and appropriated for highways.

3. If any such Company or body corporate shall take any lands of any body corporate, guardians, committees, executors, administrators, or other Trustees, held for and on behalf of those whom they represent, whether Corporations, infants, idiots, lunatics, married women, or persons deceased, who are or shall be interested in the said lands, the respective contracts, agreements, and sales of such Corporations, guardians, Committees, execu-

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tors, administrators, or trustees, shall be valid and effectual to all intents and purposes, and their respective receipts shall be sufficient discharges therefor; and it shall be lawful for them respectively to agree and settle with the said Company or body corporate for the damages (if any) by reason of taking such land; and in case of disagreement, such damages to be ascertained and determined as provided by the first Section of this Act.

4. Any such Company or body corporate may alter the course of any river, stream, or water course, and may make or construct in, upon, across, under or over any land, streets, roads, valleys, rivers, streams, lakes, or other waters, such temporary or permanent inclined planes, embankments, cuttings, aqueducts, bridges, roads, conduits, drains, piers, arches, or other works, as they may think proper, and may raise or sink the level of any such rivers, streams of water, roads, streets, or ways, in order to carry them over or under, on the level of, or by the side of any of the said lines of Railway, or the branches or extensions thereof, as they may think proper; provided, however, that the said Company or body corporate shall previously pay to the owner or owners of the land to be entered upon, taken or affected by any act to be done under the powers contained in this Section, such damages as may be agreed upon; and in case the said parties should not agree, then the said Company or body corporate shall pay such damages, together with the costs of assessing the same, as shall be ascertained and determined upon in the manner directed in and by the first Section of this Act.

5. Any such Company or body corporate shall erect and maintain legal and sufficient fences on each side of the land taken by them for any of the said lines of Railway, or the branches or extensions thereof, where the same shall pass through enclosed or improved lands; and for neglect to erect and maintain such fences; they shall be liable to be indicted in any Court having competent jurisdiction, and to be fined in such sum as shall be adjudged necessary to erect or repair the said fences, and such fine shall be expended in the erection or repair of such fence under the direction of a person appointed by such Court for that purpose; provided however, that such fences shall not be required at the receiving and landing places of passengers and freight, and at such other places as fences are not elsewhere usually required.

6. In all cases where a jury shall be summoned under any of

the provisions of this Act, the said Jury shall be allowed the sum of two dollars each for their services respectively for each time they shall be so summoned; the Justices shall be allowed the sum of fifty cents for the Warrant; and the Sheriff the sum of four dollars for summoning the jury and attending them at the enquiry; and the whole of the sum necessary to bear such expenses shall be paid into the hands of the said Justices, by the party applying for such Warrant, previous to the issuing thereof.

AN ACT TO INCORPORATE THE ALBERT RAIL-  
WAY COMPANY, 27 Vic. Cap. 58, 1864.

## SECTION.

1. Company incorporated.
2. Capital.
3. First meeting, how called.
4. Power of Corporation.
5. President, &c., invested with all the powers of Corporation.
6. Rates of fares, by whom established.
7. Company to erect & maintain fences.
8. Annual meeting, when and where held.
9. Shares to be personal estate; shares when transferable.

## SECTION.

10. General powers of Directors.
11. Joint stock and property alone liable.
12. Company may enter upon lands for purposes of road.
13. Lands reserved for Naval or Military purposes exempt, unless consent of Her Majesty obtained.
14. Company to commence road within two years.

*Passed 13th April, 1864.*

BE it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. That William Henry Steeves, Edward B. Chandler, A. R. McClelan, James Steadman, John Lewis, E. R. Burpee, Peter Duffy, John Byers, Cornelius T. Tompkins, J. Gardner White, John Wallace, William Todd, David Wark, George Calhoun, Amos Edwin Botsford, and Wallace W. Turnbull, their associates, successors, and assigns, are hereby made and constituted a body politic and corporate, by the name of the "Albert Railway Company;" and by that name shall have all the general powers and privileges made incident to a Corporation by Act of Assembly in this Province, and may sue and be sued, plead and be impleaded, and shall have and enjoy all proper remedies by law and equity, to secure and protect them in the exercise and use of the rights and privileges and in the performance of the duties hereinafter enjoined, and to prevent all invasion thereof in exercising and



performing the same; and the Corporation, so soon as the sum of ten thousand dollars of the capital stock shall be actually paid to the Treasurer of the Company, are hereby authorized and empowered to locate and construct, and finally complete, alter and keep in repair a Railroad, with one or more sets of rails or tracts, with all suitable bridges, tunnels, viaducts, turnouts, culverts, drains, and all other necessary appendages, from the present line of the European and North American Railway to the Parish of Hillsborough, in the County of Albert, to a point or place therein as may be deemed most desirable and advantageous to the general interests of the said Company, by such route as by survey or otherwise may hereafter be found most expedient, whenever the Corporation may deem it advisable so to do, and to make such branches thereof as they shall deem proper; and the said Company shall be and are hereby invested with all the powers, privileges and immunities which are or may be necessary to carry into effect the purposes and objects of this Act; and for this purpose the said Corporation shall have the right to purchase or take and hold so much of the land and other real estate of private persons or Corporations as may be necessary for the location, construction and convenient operation of said Railroad, and branches thereof, and stations connected therewith; and they shall also have the right to take, remove, and use, for the construction and repair of said Railroad and appurtenances, any earth, gravel, stone, timber, or other materials, on or from the land so taken; provided however, that said land so taken for the route of said Railway shall not exceed six rods in width, except when greater width is necessary for excavation and embankment; and provided also, that in all cases said Corporation shall pay for said lands, estate and materials so taken and used, such price as they and the owner or respective owners thereof may mutually agree upon; and in case said parties shall not otherwise agree, the said Corporation shall pay such damages as shall be ascertained and determined in the same manner and under the same conditions and limitations as are provided by the second Section of an Act made and passed in the thirteenth year of the Reign of Her present Majesty, intituled *An Act relating to the Saint Andrews and Quebec Railroad*, and also to the recovery of the same; and the land so taken by said Corporation shall be held as lands taken and appropriated for highways; and all applications for damages shall be made within three years from the time of taking such land and other property, and not after.

2. The capital stock of the said Corporation shall consist of three hundred thousand dollars, to be divided into six thousand shares of fifty dollars each, with power to increase to five hundred thousand dollars, with additional shares of fifty dollars each ; and the immediate government and direction of the affairs of the said Corporation shall be vested in five Directors, who shall be chosen by the members of the said Corporation in the manner herein-after provided, and shall hold their offices until others are chosen in their stead, a majority of whom shall form a quorum for the transacting of business , and they shall elect one of their number to be President of the Board, who shall also be President of the Corporation ; and the said Directors shall have authority to choose a Secretary, who shall be sworn to the faithful discharge of his duties, and a Treasurer who shall be sworn and also give bonds to the Corporation, with sureties to the satisfaction of the Directors, for the faithful discharge of his trust.

3. Any three persons named in the first Section of this Act, are hereby authorized to call the first meeting of the said Corporation, giving notice in one or more newspapers published in the said County of Albert, or if no such paper is there published, then in the Royal Gazette, of the time and place and purpose of such meeting, at least fourteen days before the time mentioned in such notice.

4. The said Corporation shall have power to make, ordain and establish all necessary bye laws and regulations consistent with the laws in force in this Province, for their own government, and the due and orderly conducting of affairs, and the management of their property.

5. The President, Directors and Company for the time being, are hereby authorized and empowered, by themselves or their agents, to exercise all the powers herein granted to the Corporation, for the purpose of locating and completing such Railroad and branches, and for the transportation of persons, goods and property of all descriptions, and all such power and authority for the management of the Corporation, as may be necessary and proper to carry into effect the objects of this Act ; to purchase or hold within or without the Province, lands, materials, engines, cars, and other necessary things, in the name of the Corporation, for the use of the said road, and for the transportation of persons, goods and property of all descriptions ; and to make such connection with other Railroad Companies within or without the

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Province, either by leasing their road to other Corporation or Corporations on such terms and for such length of time as may be agreed upon, or by consolidating the stock of their road with that of other Railroad Companies or Company upon such terms as may be agreed upon; to make, execute and deliver good and sufficient mortgage deed or deeds of their road and all its branches, to such private persons or Corporations within or without this Province as they may think the interest of the stockholders in their Company requires; and to make such equal assessments from time to time on all the shares in said Corporation, as they may deem necessary and expedient in the execution and progress of the work, and direct the same to be paid to the Treasurer of the Corporation, and the Treasurer shall give notice of all such assessments; and in case any subscriber or stockholder shall neglect to pay any assessment on his share or shares, for the space of thirty days after such notice is given as shall be prescribed by the bye laws of said Corporation, the Directors may order the Treasurer to sell such share or shares at public auction, after giving such notice as may be prescribed as aforesaid, to the highest bidder, and the same shall be transferred to the purchaser; and such delinquent subscriber or stockholder shall be held accountable to the Corporation for the balance, if his share or shares shall sell for less than the assessment due thereon, with interest and cost of sale, and shall be entitled to the overplus, if his share or shares shall sell for more than his assessment due, with interest and cost of sale; provided that no shareholder in said Company shall be in any manner whatever liable for any debt or demand due by said Company, beyond the amount of his, her or their shares in the capital stock of said Company not paid up; and no assessment shall be laid upon any shares in said Company for a greater amount than fifty dollars per share on the whole.

6. A toll is hereby granted and established for the sole benefit of said Corporation, upon all passengers and property of all descriptions which may be conveyed or transferred by them upon said road, at such rate as may be agreed upon and established from time to time by the Directors of said Corporation.

7. The said Railroad Corporation shall erect and maintain substantial, legal and sufficient fences on each side of the land taken by them for their Railroad, where the same passes through enclosed or improved land, or lands that may hereafter be im-

proved; and for neglect or failure to erect and maintain such fences, said Corporation shall be liable to be indicted in any Court having competent jurisdiction, and be fined in such sum as shall be adjudged necessary to repair the same; and such fines shall be collected and paid as other fines are by law collected and paid, and shall be expended for the erection or repair of such fence under the direction of an agent appointed by the Court imposing such fine: provided however, that said fences may be dispensed with at the receiving and landing places of passengers and freight, and at such other places as fences are not elsewhere usually required.

8. The annual meeting of the said Corporation shall be holden on the first Thursday in June, or such other day as shall be determined by the bye laws, at such time and place as the Directors for the time being shall appoint, at which meeting the Directors shall be chosen by ballot, each proprietor by himself or by proxy being entitled to as many votes as he holds shares; and the Directors are hereby authorized to call special meetings of the stockholders whenever they shall deem it expedient and proper, giving such notice as the Corporation by their bye laws shall direct.

9. The said shares of the Corporation shall be deemed personal estate, and transferable as such, and every such share shall entitle the holder thereof to a proportionate part of the profits and dividends of the said Company, after the making, completing and maintaining the said Railway, and other incidental expenses; but no shareholder shall be entitled to transfer any share after any call shall have been made in respect thereof, until he or she shall have paid all calls for the time being due on every share held by him or her.

10. The Directors of the Company may, from time to time, subject and charge in such manner as they think fit, the said Railroad, and the future lands, goods and other property and effects, tolls, income and profits whatsoever of the said Company, or such parts thereof as the Directors may think fit; and may also in like manner grant and assure the whole or any part of any guarantee of interest, grant of money or lands, or other benefit, profit or advantage already or to be hereafter granted, conceded or allowed to Railroad Companies in this Province by an Act of Assembly; and every deed executed by the Directors of the Company, shall be under the common seal of the Company, which

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the Directors are hereby authorized to affix to every such deed, and under the respective hands and seals of any three or more of the Directors of the said Company; and every deed so executed shall have as full effect, and be as binding and conclusive on the Company and the Directors of the Company, as if the terms and provisions of such deed were, by this Act of Assembly, expressly enacted and made binding and conclusive accordingly.

11. The joint stock and property of the said Company shall alone be responsible for the debts and engagements of the same.

12. The said Company, by their agents, servants, and workmen, shall and may enter upon any lands of private persons for the purposes of making a survey of the line or route of the contemplated Railroad, and to cut down or remove when necessary to the making of such survey, any trees or other obstacles on such lands; compensation for such cutting and removing to be made to such owners of private lands, by the same proceedings and in the same manner as is provided in the first Section of this Act.

13. Nothing in this Act contained shall authorize the said Company or their contractors to enter upon any lands reserved for Naval or Military purposes, without the consent of Her Majesty.

14. The said Company to entitle themselves to the privileges, benefits and advantages to them granted in this Act, shall *bona fide* commence to build said Railway within two years from the passing of this Act; failing wherein, then this Act, and every matter and thing therein contained, shall cease and determine, and be utterly null and void; and if the said Railway, having been commenced, shall not be made and completed within the period of five years from the passing of this Act, so as to be used for the conveyance and carriage of passengers, goods and chattels thereon, then this Act, and every matter and thing therein contained, shall cease, and be utterly null and void.

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AN ACT RELATING TO THE SAINT ANDREWS  
AND QUEBEC RAILROAD, 13 Vic. Cap. 1.

*Passed 26th April, 1850.*

EXTRACT FROM SECTION 11.

“ Provided always that in all cases the said Company shall pay for such Land or Estate so taken and used (in case the owners thereof demand it,) such price as the said Company and the

owner or the respective owners thereof may mutually agree on; and in case the said parties shall not agree, then it shall be lawful for the said Company to apply to two of Her Majesty's Justices of the Peace in the County wherein the said Lands may be situate for a Warrant, which Warrant shall be in the form set forth in the Schedule A to this Act annexed and shall be directed to the High Sheriff, his Deputy or any Constable within the said County, commanding such High Sheriff, Deputy or Constable to summon a Jury of Five disinterested Freeholders or Occupiers of Land in the said County, who shall be sworn to examine the site of the said Railroad; and in case the Railroad shall pass through or extend upon any improved Lands or shall occasion the removal of any buildings or fences, then and in all such cases the damages shall be ascertained and assessed by such Jury; provided, nevertheless, that said Jury in assessing the said damages are authorized and empowered and shall take into consideration the enhancement in value of the Land by the passage of the Railroad, in regard to the increased facilities of access to the different stations and termini of the said Railroad, in diminution of the damages; and in all cases where the Jury shall assess damages to be paid to the owner or owners of any Land over which the said Railroad may be laid out, the Justices who issued the Warrant shall lay the said assessments before the next annual meeting of the said Company, who are hereby required to pay the amount set forth in the said assessment into the hands of the person for whom such damages may have been assessed within twenty-one days next after such annual meeting of the said Company, together with the costs and charges of assessing such damages, which shall be agreeable to a Scale in Schedule B of this Act; and in default of such payment it shall and may be lawful for the said Justices or either of them, (in case of the death or absence of the other) at the instance of the said party or parties to whom such damages are payable by Warrant under the hands and seals of the said Justices or of one of them (in the case aforesaid,) to levy the same with costs by distress and sale of the goods and chattles of the said Company."

#### SCHEDULE A.

##### *Form of Warrant to summon a Jury.*

To the Sheriff, Deputy Sheriff, or any Constable of the  
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You are hereby commanded to summon a Jury of Five disin-

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Interested Freeholders of your County, on the \_\_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_\_ of the clock in the \_\_\_\_\_ noon, and then and there assess the damages, (if any) which A. B. alleges he has sustained by reason of the works and operations of the Saint Andrew's and Quebec Railroad Company through and upon his lands.  
 Given under our hands and seals the \_\_\_\_\_ day of \_\_\_\_\_ 18 .

**SCHEDULE B.**

*Scale of Fees in proceedings before Justices upon assessing damages under the foregoing Act:*

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To the Justices.					
Warrant to summon Jury, ... ..	...	...	...	...	0 2 6
For every Subpœna, ... ..	...	...	...	...	0 0 6
For every copy thereof, ... ..	...	...	...	...	0 0 3
Every adjournment made at the instance of the party,					0 1 0
Trial and Judgment, ... ..	...	...	...	...	0 2 6
Swearing each Witness and Constable, ... ..	...	...	...	...	0 0 3
Swearing Jury, ... ..	...	...	...	...	0 1 0
Execution or Distress Warrant, ... ..	...	...	...	...	0 1 6

To the Sheriff or Constable.

Summoning Jury, ... ..	...	...	...	...	0 5 0
Attending on Jury, ... ..	...	...	...	...	0 1 0
For all other services, the same as fixed by Law in Civil cases before Justices of the Peace.					

To Witnesses.

Attendance and travel, the same as in Civil cases before Justices of the Peace.

To Jurors.

Each Juror sworn on Inquiry, ... ..	...	...	...	...	0 2 0
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**AN ACT TO AMEND THE ACT TO INCORPORATE  
 THE ALBERT RAILWAY COMPANY,  
 29 Vic. Cap. 8, 1866.**

**SECTION.**

1. Time extended.
2. Annual meeting, when held.

**SECTION.**

3. Construction of Act.

*Passed 16th April, 1866.*

WHEREAS it is found desirable to amend the Act made and

passed in the twenty-seventh year of Her present Majesty's Reign, intituled *An Act to incorporate the Albert Railway Company*;—

Be it therefore enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:

1. That the time fixed in and by the fourteenth Section of the said recited Act, for the *bona fide* commencement to build the said Railway, be extended for a further period of two years from the time of the passing of this Act, and that the time fixed for the completion of the said Railway shall also be extended for the period of five years from the time of the passing of this Act.

2. That the annual meeting of the said Corporation shall be held on the first Thursday in June, as provided for in the eighth Section of the said Act, notwithstanding any alterations of the time for holding such annual meeting, which heretofore have been made by any bye law of said Company; and that the adjournment of the meeting of the said Corporation, made on its organization, shall be deemed to be made to the first Thursday in June next at the place mentioned in the bye law.

3. The provisions of this Act shall not be construed to prevent any other Company or body corporate from undertaking the construction of the said line of Railway, and from receiving all the benefits and having all the privileges provided by law in aid of the construction of Railways.

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AN ACT TO AMEND AN ACT TO INCORPORATE  
THE ALBERT RAILWAY COMPANY,  
30 Vic. Cap. 13, 1867.

COMPANY AUTHORIZED TO INCREASE CAPITAL AND EXTEND RAILWAY.

*Passed 17th June, 1867.*

WHEREAS by an Act made and passed in the twenty-seventh year of her present Majesty's Reign, Chapter 58, intituled *An Act to incorporate the Albert Railway Company*, the said Company are empowered, in accordance with the provisions of said Act, to locate and construct, and finally complete, alter, and keep in repair, a Railroad from the present line of the European and North American Railway in the Parish of Hillsborough, in the

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County of Albert, to a point or place therein as may be deemed most desirable and advantageous to the general interests of the said Company; And whereas the interests of the said Company, as well as the said County of Albert and the Province at large, require that the said Railway be extended to the Bay of Fundy, or to navigable waters communicating therewith; and it is desirable and expedient to facilitate such extension, and enlarge the powers of the said Company accordingly;—

Be it therefore enacted by the Governor, Legislative Council, and Assembly,—That the said Albert Railway Company be and they are hereby empowered to extend their capital to such amount as they may deem necessary or expedient, not exceeding in the aggregate one million dollars; and that so soon as the said Company shall have completed and put in operation the Railway contemplated by their Act of Incorporation, they shall be and are hereby authorized and empowered to extend the said Railway by such route, as by survey or otherwise may hereafter be found most expedient, to such point or points on Shepody Bay or River, or the adjacent navigable waters, or to such other point or points in said County of Albert, as may be deemed most desirable and advantageous to the general interests of the said Company, and to make such branches thereof as they shall deem proper; and the said Company, as regards the said extension and branches, shall be and are hereby invested with all the powers, rights, privileges and immunities which are or may be necessary to carry into effect the purposes and objects of this Act, and all the powers, privileges, rights or conditions conferred or intended to be conferred on or extended to the said Company by their said Act of Incorporation, and subject to all the provisions thereof.

AN ACT IN ADDITION TO AND IN AMENDMENT  
OF AN ACT IN AID OF THE CONSTRUCTION  
OF RAILWAYS, 30 Vic. Cap. 13.

SECTION.

1. Repeals part of sec. 1, cap. 3, 27 Vic.

SECTION.

2. To what Road aid to be given.

*Passed 17th June, 1867.*

BE it enacted by the Governor, Legislative Council, and Assembly, as follows:—

1. All that portion of Section 1, Chapter 3, of an Act made

and passed in the twenty-seventh year of the Reign of Her present Majesty, intituled *An Act in aid of the construction of Railways*, which provides aid for a Branch Line of Railway to connect the European and North American Railway with Hillsborough, in the County of Albert, at such point therein as may be deemed most desirable, is hereby repealed.

2. The Provincial aid, in the manner provided by the said recited Act, shall be given towards the construction and completion of a Branch Line to connect the European and North American Railway with Hillsborough or Hopewell in the County of Albert, at such point in either of such Parishes as may be deemed most desirable or advantageous in the interests of the Company undertaking to construct the same.

AN ACT TO EXTEND THE TIME FOR THE  
BUILDING OF THE ALBERT RAILWAY,

31 Vic, Cap. 57.

*Passed 23rd March, 1868.*

WHEREAS it is found desirable to amend the Act made and passed in the twenty-seventh year of Her present Majesty's Reign, intituled *An Act to incorporate the Albert Railway Company*, and also an Act passed in the twenty-ninth year of Her present Majesty's Reign, intituled *An Act to amend the Act to incorporate the Albert Railway Company* ;—

Be it therefore enacted by the Lieutenant Governor, Legislative Council, and Assembly,—That the time fixed in and by the fourteenth Section of the said first recited Act, for the *bona fide* commencement to build the said Railway, be extended for a further period of two years from the time of the passing of this Act, and that the time fixed for the completion of the said Railway shall also be extended for the period of five years from the time of the passing of this Act, notwithstanding anything contained in the said last recited Act.

AN ACT IN ADDITION TO AN ACT TO INCORPORATE THE ALBERT RAILWAY COMPANY, 32 Vic. Cap. 57.

SECTION.

1. Company may issue Debentures; proviso.

SECTION.

2. Debenture to be first charge.

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Passed 29th April, 1869.

BE it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows;—

1. That in addition to the powers heretofore conferred on the Albert Railway Company in and by an Act made and passed in the twenty-seventh year of the Reign of Her present Majesty, intituled *An Act to incorporate the Albert Railway Company*, it shall and may be lawful for the said Company from time to time to issue Debentures or Certificates of Debt, bearing interest, with coupons, at six per centum per annum, in such number and in such denominations as they may see fit, such Debentures to be numbered consecutively, beginning at number one, and payable in twenty years; provided always nevertheless, that the aggregate amount of such Debentures so to be issued by authority of this Act shall in no case exceed the sum of sixty thousand dollars.

2. The Debentures to be issued under authority of this Act shall constitute a first charge on the property of the said Albert Railway Company, and whenever issued, a schedule thereof shall be forthwith filed by the President of the said Company in the office of the Registrar of Deeds and Wills in and for the County of Albert, and shall thereupon constitute an incumbrance affecting the lands of the said Albert Railway Company.

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An Act to revive and continue an Act made and passed in the twenty-seventh year of Her Majesty's Reign, intituled "An Act to incorporate the Albert Railway Company," 33 Vic. Cap. 44.

SECTION.

1. Act 27 Vic. cap. 58, continued.
2. Railway to be commenced within two years.

SECTION.

3. Not to interfere with former Acts.

Passed 7th April, 1870.

BE it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. That an Act made and passed in the twenty-seventh year of Her Majesty's Reign, being Chapter fifty-eight, intituled "An Act to incorporate the Albert Railway Company," and all Acts in

amendment thereof and in addition thereto, be and the same are hereby revived, re-enacted, and continued.

2. The said Company, to entitle themselves to the privileges, benefits and advantages to them granted in and by the said Acts, and in this Act, shall *bona fide* commence to build the said Railway within two years from the passing of this Act; failing wherein, the said Acts and every matter and thing therein contained shall cease, determine, and be utterly null and void: and if the said Railway, having been commenced, shall not be made and completed within the period of five years from the passing of this Act, so as to be used for the conveyance and carriage of passengers, goods and chattels thereon, then the said Acts, and every matter and thing therein contained, shall cease and be utterly null and void.

3. Nothing in this Act contained shall interfere with any other Acts passed during this present Session relating to the said Railway Company.

AN ACT TO EXEMPT THE PROPERTY OF RAILWAY COMPANIES FROM TAXATION.

33 Vic. Cap. 46.

SECTION.

1. Real estate exempted; when exemption shall cease.

SECTION.

2. To extend to other property.  
3. Profits not exempted.

*Passed 7th April, 1870.*

BE it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. That all the real and personal property belonging to the European and North American Railway Company for extension from Saint John westward, shall be exempt from taxation in any or either of the Counties through which the said Railway passes, so long as the same shall be held and possessed by the said European and North American Railway Company for extension from Saint John westward.

2. That the exemption provided by this Act shall extend to the roadway, rolling stock, station houses, and grounds and other property used in the running of trains of all Railway Companies in this Province.

3. The exemption provided by this Act shall not extend to actual profits derived from the running of any Railway, after deducting expenses.

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AN ACT TO FACILITATE THE CONSTRUCTION OF  
THE ALBERT RAILWAY, 34 Vic. Cap. 53.

## SECTION.

1. Sessions may borrow money.
2. Subsidy per mile, amount of; how paid.
3. Sessions may issue Debentures.
4. Debentures, form of, when payable.
5. Moneys loaned, to whom payable.
6. Assessments, how and by whom ordered.

## SECTION.

7. Moneys assessed, how applied.
8. When Act comes into operation.
9. Sheriff to preside at meeting.
10. Qualification of voters at meeting.
11. If vote is in affirmative, duty of Clerk.
12. When aid shall be given.

*Passed 17th May, 1871.*

WHEREAS it is desirable to grant power to certain property holders in certain Parishes in the County of Albert, to aid in the construction of the Albert Railway, by the issue of Debentures or certificates of debt, with power to levy assessments upon such Parishes for the payment of the same with interest;—

Be it therefore enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. The General Sessions of the peace for the County of Albert are hereby authorized and empowered to borrow such sum or sums of money, in loans of not less than one hundred dollars each, not exceeding forty thousand dollars in the whole, to be appropriated and applied according to the provisions of this Act.

2. When and so soon as it shall be certified to the said General Sessions by the Government Engineer, or a competent Engineer approved of by the said Sessions, that one mile of the said Albert Railway is graded and ready for laying down and receiving the rails, the said General Sessions shall pay to the Albert Railway Company, or such Company as shall build the said Albert Railway, the sum of one thousand five hundred dollars, and the like sum of one thousand five hundred dollars on the receipt of a similar certificate of each successive mile being so graded and ready for laying down and receiving the rails, until twenty miles of the said Albert Railway is so graded; and when it shall be certified as before to the said General Sessions by such Engineer as aforesaid, that the remaining portion of the said line of Railway is completed and in good thorough working order, with the necessary stations, station houses, and rolling stock, the said General Sessions shall pay to the said Albert Railway Company, or such Company as shall build the said Albert Railway, the balance of the said sum of forty thousand dollars.

3. It shall and may be lawful for the said General Sessions to

issue Debentures with coupons at a rate of six per centum per annum, payable semi-annually to the holder thereof, in such form and at such place or places as the said General Sessions may deem expedient; which Debentures and coupons shall be respectively negotiable in the same manner as promissory notes payable to the holder or bearer thereof.

4. The Debentures shall be sealed with the common seal of the said General Sessions, and be signed by the Chairman of the said Sessions, and countersigned by the Clerk of the Peace for the said County of Albert, and shall be consecutively numbered according to the times at which the same shall be issued, and shall be made payable in not less than five years and not exceeding thirty years from the respective dates of issue, at such place or places as said Sessions may deem expedient.

5. All moneys loaned to the General Sessions of the Peace for the County of Albert under the provisions of this Act, shall be paid by the lenders thereof to the Treasurer of the County of Albert, and by him paid to the said Albert Railway Company, or such Company as shall build the said Albert Railway, by order of the said General Sessions, the said County Treasurer holding and paying the same exclusively for the purposes of this Act.

6. The said General Sessions are hereby authorized, empowered and directed every year to order, assess and levy a rate on the whole of the inhabitants of the Parishes of Hillsborough, Hope-well, and Harvey, in the said County of Albert, liable to be rated and assessed for any rate or assessment within the said County, of a sum sufficient to pay the interest on the Debentures issued under the provisions of this Act, and a further sum, not exceeding four thousand dollars, as will pay such and so much of the principal sum borrowed as the said General Sessions may deem expedient, besides the charges for assessing and collecting, for the purpose of discharging the principal and interest of the loans contracted by virtue of this Act, until the same shall be paid off; the said several sums to be levied, assessed, collected and paid in such proportions and in like manner as any County rates for public charges, only that the tax upon the poll of each inhabitant shall be not less than five shillings, and when collected shall be holden by the County Treasurer for the payment of the said interest, or interest and principal, (as the case may be) exclusively for the purposes of this Act.

7. The moneys so assessed shall from time to time be applied

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in payment of the said Debentures, and the interest due thereon ; and the said County Treasurer shall, when and so often as he may be directed by the said General Sessions so to do, give one calendar month's public notice by advertisement in the Royal Gazette of this Province, calling in such and so many of the said Debentures, whether due or not, as the said General Sessions may be prepared to pay off, specifying the number of such Debentures in such advertisement. and the same by and under such order as aforesaid shall pay off accordingly, and from and after the expiration of such notice the interest on said Debentures shall cease.

8. Provided always, that this Act shall not come into operation, or be in force, until it shall be determined by a majority of the rate-payers in the said Parishes of Hillsborough, Hopewell, and Harvey, that they desire that the said Act may be in force, which said determination shall be arrived at in the manner following, that is to say:—Whenever not less than one hundred of the rate-payers on property lying within the Parishes of Hillsborough, Hopewell, and Harvey, shall apply in writing to the High Sheriff of the County for the calling of a public meeting of the rate-payers on real or personal estate within the said Parishes, in order that they may decide as to the propriety of granting aid by subsidy to any Railway Company undertaking to construct the Albert Railway, the Sheriff shall proceed to call such meeting at the Court House in said County, by giving at least two weeks notice in some newspaper published in the County, or adjoining County, and by posting up printed handbills of the time, place and object of such meeting.

9. The Sheriff of the said County of Albert shall preside at such meeting, and appoint a Clerk, who shall be duly sworn by a Justice of the Peace for the said County faithfully to discharge the duties required by this Act.

10. The Clerk after having read this Act to the meeting, shall proceed to take the names of the persons wishing to vote at such meeting in a book provided for the purpose, entering opposite each name "yea" or "nay" in the different columns; provided, however, that no person shall be allowed to vote at such meeting whose name does not appear on the last assessment roll for the Parish in which he then resided, or in which his said property is situated in one of the said Parishes; and for the purposes of this Act, the said Sheriff is authorized and required

to procure certified copies of the last assessment roll for each of said Parishes, in order that he may decide who are entitled to vote at such meeting.

11. The said Sheriff shall open the said meeting at eight of the clock in the forenoon, and continue the same until four of the clock in the afternoon, when he shall declare the said meeting closed, and proceed with the said Clerk to count the votes given at such meeting in the different columns, and if he finds a majority of all the votes so given to be in the affirmative, and that the persons voting "yea" represent more than one-half of the valuation of all the property of the rate-payers present and voting at such meeting, he shall duly announce the same and transmit a certificate thereof to His Excellency the Lieutenant Governor, who shall thereupon publish in the Royal Gazette a notice that the foregoing Law is and from thenceforth shall be in full force and effect.

12. The facilities and aid contemplated in the foregoing Sections, shall not be made available or given to any Company, unless the said Railway is located to run from some point on the European and North American Railway, in the County of Westmorland, to connect with some shipping port or place of Shipment on the Shepody Bay shore in one of the Parishes of Hopewell or Harvey, in the County of Albert.

AN ACT RELATING TO THE ALBERT RAILWAY  
COMPANY, 35 Vic. Cap. 67.

SECTION.

1. Acts continued.

SECTION.

2. Work to be commenced within six months, and completed within five years.

*Passed 11th April, 1872.*

BE it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. That an Act made and passed in the twenty-seventh year of Her Majesty's Reign, being Chapter fifty-eight, intituled *An Act to incorporate the Albert Railway Company*, and all Acts in amendment thereof and in addition thereto, be and the same are hereby revived, re-enacted, and continued.

2. The said Company, to entitle themselves to the privileges, benefits and advantages to them granted in and by the said Acts

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and in this Act, shall *bona fide* commence to build the said Railway within six months from the passing of this Act, failing wherein, the said Acts, and every matter and thing therein contained, shall cease, determine, and be utterly null and void; and if the said Railway having been commenced shall not be made and completed within the period of five years from the passing of this Act, so as to be used for the conveyance and carriage of passengers, goods and chattels thereon, then the said Acts, and every matter and thing therein contained, shall cease and be utterly null and void.

AN ACT FURTHER TO AMEND THE SEVERAL  
ACTS RELATING TO THE ALBERT RAIL-  
WAY COMPANY, 36 Vic. Cap. 34, 1873.

## SECTION.

1. Authority to construct Railway.
2. Number of Directors increased.

## SECTION.

3. Proceedings of former meetings valid.

*Passed 14th April, 1873.*

WHEREAS it is deemed advisable in the interests of the public, that the Albert Railway Company should be empowered forthwith to construct their lines of Railway contemplated by their Act of incorporation, as well as the extension thereof, to such point or points in the Parish of Hopewell, on Shepody Bay or River, or the adjacent navigable waters, as may be deemed most desirable and advantageous to the general interests of the said Company;—

Be it therefore enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. Notwithstanding any thing contained in any Act relating to the said Company, the Albert Railway Company are hereby authorized and empowered forthwith to construct that part of the line of Railway, or lines of Railway, and branches thereto, which they are authorized and empowered to construct by the several Acts relating to the said Company as is included in the line which they are authorized to build by their Act of Incorporation, passed in the twenty-seventh year of Her Majesty's Reign, and in any extension thereof, to such point or points in the Parish of Hopewell, on Shepody Bay or River, or the adjacent navigable

waters, as may be deemed most advantageous to the general interests of the said Company; and it will not be necessary for the Company to complete and put in operation the Railway contemplated in the said Act of Incorporation before they extend the said Railway, either by survey or otherwise, to the point or points mentioned in this Act, in the Parish of Hopewell; but the line of Railway which they are authorized to build by the said Act of Incorporation, and the extension thereof, mentioned in this Act, shall be considered one line, and the Company can and they are hereby authorized at any time to commence operations on any part of the said line, whether it may be the line mentioned in the said Act of Incorporation, or the extension thereof, mentioned in this Act, and proceed with the construction over the whole line, or any part thereof; and the said Company, with respect to the said line, shall be and are hereby invested with all the powers, rights, privileges and immunities which are or may be necessary to carry into effect the purposes and objects of this Act, and all the powers, privileges, rights or conditions conferred or extended to the said Company by their said Act of Incorporation, or any Act in amendment thereof, subject to the provisions of this Act.

2. From and after the next annual meeting of the said Corporation, the number of Directors of the said Corporation shall be seven instead of five, as now by law provided, who shall be elected in the same way as Directors were heretofore elected, and be clothed with the same powers as Directors of the said Corporation were heretofore clothed with.

3. All meetings, elections, votes, proceedings and bye laws heretofore held, taken, passed, made or done by the said Company, or the Directors thereof, shall be held and taken to be regularly and legally held, taken, passed, made or done.

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**AN ACT TO AID IN THE CONSTRUCTION OF  
CERTAIN RAILWAYS IN THIS PROVINCE,  
36 Vic. Cap. 40, 1873.**

**SECTION.**

1. Authority to borrow money; amount to be borrowed.
2. When Sessions shall pay Company five thousand dollars.
3. Sessions may issue debentures; debentures negotiable.
4. Time debentures shall run.

**SECTION.**

5. Moneys loaned, to whom paid.
6. Assessment authorized.
7. Assessment, how applied.
8. When Act shall come in force.
9. Public meeting, when, how, and by whom called.

**SECTION.**

10. Parish time
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## SECTION.

10. Parish meetings, when and at what time held; proviso.
11. Presiding officers, &c., how appointed.
12. Sheriff to provide copies of Assessment Roll.
13. Presiding officers' duty; proviso.
14. When meeting shall close.

## SECTION.

15. When Proclamation shall be made that Law is in force.
16. Facilities and aid not available unless, &c.
17. Instead of money, Sessions may give debentures.
18. Act repealed.
19. Not to interfere with Act 34 Vic. cap. 52.

*Passed 14th April, 1873.*

WHEREAS it is desirable to grant power to certain property-holders in certain Parishes in the County of Albert to aid in the construction of the Albert Railway, by the issue of debentures or certificates of debt, with power to levy assessments upon such Parishes for the payment of the same, with interest;—

Be it therefore enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. The General Sessions of the Peace for the County of Albert are hereby authorized and empowered to borrow such sum or sums of money, in loans of not less than one hundred dollars each, not exceeding thirty thousand dollars in the whole, to be appropriated and applied according to the provisions of this Act.

2. When and so soon as it shall be certified to the said General Sessions, by the Government Engineer, or a competent Engineer approved of by the said Sessions, that five miles of the said Albert Railway are graded and ready for laying down and receiving the rails, the said General Sessions shall pay to the said Albert Railway Company, or such Company as shall build the said Albert Railway, the sum of five thousand dollars, and the like sum of five thousand dollars on the receipt of a similar certificate of each successive five miles being so graded and ready for laying down and receiving the rails, until twenty miles of the said Albert Railway are graded as aforesaid; and when it shall be certified, as before, to the said General Sessions, by such Engineer as aforesaid, that the remaining portion of the said line of railway is completed and in good thorough working order, with the necessary stations, station houses, rolling stock, wharves, and conveniences for shipping facilities, the said General Sessions shall pay to the said Albert Railway Company, or such Company as shall build the said Albert Railway, the balance of the said sum of thirty thousand dollars.

3. It shall and may be lawful for the said General Sessions to

SECTION OF  
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issue debentures, with coupons, at a rate of six per centum per annum, payable semi-annually to the holder thereof, in such form and at such place or places as the said General Sessions may deem expedient, which debentures and coupons shall be respectively negotiable in the same manner as promissory notes payable to the holder or bearer thereof.

4. The debentures shall be sealed with the common seal of the said General Sessions, and be signed by the Chairman of the said Sessions, and countersigned by the Clerk of the Peace of the said County of Albert, and shall be consecutively numbered according to the times at which the same shall be issued, and shall be made payable in not less than five years and not exceeding thirty years from the respective dates of issue, at such place or places as such Sessions may deem expedient.

5. All moneys loaned to the General Sessions of the Peace for the County of Albert, under the provisions of this Act, shall be paid by the lenders thereof to the Treasurer of the County of Albert, and by him paid to the said Albert Railway Company, or such Company as shall build the said Albert Railway, by order of the said General Sessions, the said County Treasurer holding and paying the same exclusively for the purposes of this Act.

6. The said General Sessions are hereby authorized, empowered and directed every year to order, assess and levy a rate on the whole of the inhabitants of the Parishes of Coverdale, Hillsborough, Hopewell, Harvey, and Alma, in the said County of Albert, liable to be rated and assessed for any rate or assessment within the said County, of a sum sufficient to pay the interest on the debentures issued under the provisions of this Act, and a further sum not exceeding two thousand dollars, as will pay such and so much of the principal sum borrowed as the said General Sessions may deem expedient, besides the charges for assessing and collecting, for the purpose of discharging the principal and interest of the loans contracted by virtue of this Act, until the same shall be paid off; the said several sums to be levied, assessed, collected and paid in such proportion and in like manner as any County rates for public charges, only that the tax upon the poll of each inhabitant shall be not less than half a dollar, and when collected shall be holden by the County Treasurer for the payment of the said interest, or interest and principal as the case may be, exclusively for the purposes of this Act.

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7. The moneys so assessed shall from time to time be applied in payment of the said debentures, and the interest due thereon, and the said County Treasurer shall, when and so often as he may be directed by the said General Sessions so to do, give one calendar month's public notice by advertisement in the Royal Gazette of this Province, calling in such and so many of the said debentures, whether due or not, as the said General Sessions may be prepared to pay off, specifying the number of such debentures in such advertisement, and the same by and under such order as aforesaid shall pay off accordingly; and from and after the expiration of such notice the interest on such debentures shall cease.

8. Provided always, that this Act shall not come into operation or be in force until it shall be determined by a majority of the ratepayers in the said Parishes of Coverdale, Hillsborough, Hopewell, Harvey, and Alma, that they desire that the said Act may be in force, which said determination shall be arrived at in the manner hereinafter mentioned.

9. Whenever not less than one hundred of the ratepayers on property lying within the said Parishes of Coverdale, Hillsborough, Hopewell, Harvey, and Alma, shall apply in writing to the High Sheriff of the said County for the calling of public meetings of the ratepayers on real or personal estate within the said Parishes, in order that they may decide as to the propriety of granting aid for the construction of the said Railway under the provisions of this Act, the said Sheriff shall proceed to call such meetings by giving at least two weeks' notice in some newspaper published in the said County or adjoining County, of the time, places and objects of such meetings, and by posting up printed handbills of the time, places and objects aforesaid in three of the most public places in each of the said Parishes.

10. The meeting for the Parish of Hopewell shall be held at the Court House in the said County; and the meetings for the Parishes of Coverdale, Hillsborough, Harvey, and Alma, respectively, shall be held in each Parish at or near the place now by law appointed as the polling place in the said Parish for the election of Members to serve in the House of Assembly; provided that only one meeting be held in and for each Parish, and that such meetings shall be held simultaneously, and such meetings shall be opened at eight o'clock in the forenoon and be continued until four o'clock in the afternoon of the same day.

11. The Sheriff, or some person to be deputized by him, shall preside at the meeting held at the Court House in and for the Parish of Hopewell; and the said Sheriff shall by deputation or precept appoint a fit person to preside at each of the other Parishes, and each such person shall preside at the meeting for which he may be appointed to preside; such Sheriff, deputy or presiding officer shall respectively appoint a clerk to assist them at such meeting.

12. For the purpose of this Act the said Sheriff is authorized and required to procure certified copies of the Assessment Roll for each of said Parishes last preceding the date of such meeting, and to furnish to each such deputy or presiding officer a certified copy of such Assessment Roll for the Parish for which he may be appointed such deputy or presiding officer.

13. At each such meeting the Sheriff, deputy, or presiding officer and clerk shall be respectively sworn to the faithful discharge of his duties before proceeding to take the votes as hereinafter mentioned; the clerk shall then read this Act to the meeting, and shall, under the direction of the officer presiding, proceed to take the names of the persons wishing to vote at such meeting in a book provided for the purpose, entering opposite each name "yea" or "nay" in the different columns; provided however, that no person shall be allowed to vote at such meeting whose name does not appear in the copy of the Assessment Roll furnished to the officer presiding: If the name of any Joint Stock Company or Corporation, or their President as representing such Corporation, appear on any such Assessment List, the President, or any Director authorized by such Joint Stock Company or Corporation, and no other person, may vote in respect thereof under this Act; and if the name of any co-partnership firm appear on such list, each member of such firm may vote in respect thereof; provided that any such President or Director voting as representing the Corporation, shall also have a right to vote individually if he be a duly qualified ratepayer.

14. At the hour of four o'clock the officer presiding shall declare the meeting closed, and proceed with the clerk to count the votes given at such meeting in the different columns and state the result publicly, and shall enter in the book a certificate of the total 'yeas' and 'nays' respectively voted, which certificate shall be signed by such officer presiding and clerk, and forthwith transmit such book and certificate under seal to the said Sheriff.

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15. If the Sheriff finds, upon all such books and certificates having been returned, that a majority of all the votes so given is in the affirmative, and that the persons voting "yea" represent more than one-half of the valuation of all the property of the ratepayers, as represented by the assessment list, present and voting at such meeting, he shall transmit a certificate thereof to his His Excellency the Lieutenant Governor, who shall thereupon publish in the Royal Gazette a notice that the foregoing law is and from thenceforth shall be in full force and effect.

16. The facilities and aid contemplated in the foregoing sections shall not be made available or given to any Company, unless the said railway is located to run from some point on the European and North American Railway, in the County of Westmorland, to connect with some place of shipment on Shepody Bay or River, or adjacent navigable waters in one of the Parishes of Hopewell or Harvey, in the said County of Albert.

17. In lieu of borrowing the money as aforesaid, the Sessions may hand over the debentures to be issued under the authority of this Act to the Company, or to any person named by them, and such debentures shall be taken by the said Company or other person at par.

18. An Act made and passed in the thirty-fourth year of Her Majesty's Reign, Chapter fifty-four, intituled *An Act to further facilitate the construction of the Albert Railway*, be and the same is hereby repealed.

19. Nothing in this Act contained shall in any way interfere with an Act made and passed in the thirty-fourth year of the same Reign, Chapter fifty-three, intituled *An Act to facilitate the construction of the Albert Railway*.

## BYE-LAWS.

*Passed 22nd July, 1873.*

The Stockholders of the ALBERT RAILWAY COMPANY in pursuance of the powers in them vested, do hereby alter and amend the Bye-Laws of the Company as follows—that is to say :

### GENERAL MEETINGS OF STOCKHOLDERS.

I.—No person shall be entitled to take any part in the proceedings or vote at any General Meeting, either personally or by proxy, on any Stock or Shares on which any calls are due.

II.—Should there be any difference of opinion on any subject, whatsoever, at any General Meeting of the Stockholders of this Company the same shall be decided by a vote of the properly qualified Stockholders present, personally or by proxy, voting according to the number of Shares held by each, respectively.

III.—No person shall be eligible for Election as a Director unless a *bona fide* owner of, at least, ten shares of the Capital Stock of the Company on which all calls are paid.

IV.—The President of the Company shall, if present, preside at all Meetings of the Stockholders, but in his absence any Stockholder may be chosen as Chairman of the meeting.

V.—The Secretary of the Company shall, if present, act as Secretary at all meetings of Stockholders, but in his absence any Stockholder may be chosen to act as Secretary for the meeting.

VI.—The Annual General Meeting of the Company shall be held on the first Thursday in June, at such hour and place as the Directors shall appoint; due notice, whereof, shall be given, at least, fourteen days' prior to the time of holding such meeting by advertisement in some newspaper published in either the County of Albert or Westmorland, if any, and in one newspaper published in the City of St. John.

VII.—The Annual Meeting shall, as soon as organized, appoint two Scrutineers to receive votes, and the Scrutineers shall, forthwith, open a ballot for the choosing of Directors. This ballot

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shall be kept open for, at least, two hours, after the expiration of which time the Scrutineers shall deliver to the Secretary a Report, in writing, of the names of the properly qualified Stockholders having the greatest number of votes, and in case of there being a tie of votes a new ballot shall be opened immediately by the same Scrutineers and kept open for one hour, for the election of Directors to supply the vacancy arising from said tie.

VIII.—Immediately after the opening of the ballot for the election of Directors the President and Directors for the past year shall submit to the Meeting a general statement of the affairs of the Company and give such other explanations and information as they may deem proper or as may be required of them by the meeting.

IX.—SPECIAL MEETINGS of the Stockholders may be called by the Secretary of the Company at any time when required to do so by a resolution of the Board of Directors or by a request in writing from any Stockholders representing, at least, one third of the entire number of shares subscribed for and allotted in the books of the Company. And he shall cause due notice of the time and place for the holding of such Special Meeting to be published as heretofore specified in clause No. 6, regarding notice of the Annual General Meeting, and in case the Secretary shall neglect or refuse to call and advertise such Special Meeting, when so requested, then any four of the Directors or Stockholders representing one third of the allotted Stock of the Company shall have authority to do so, provided that in the advertisement giving notice of the time and place for the holding of the said Meeting, they also state the fact of their having first requested the Secretary to call such Meeting and the reasons, if any, given by him for neglecting or refusing to comply with their request.

X.—The Annual General Meeting and all other Meetings of Stockholders may be adjourned from time to time, until the purpose of the Meeting be accomplished, and all votes taken or other business transacted at such adjourned Meetings shall be deemed and considered, in every way, as regular and binding as if taken and performed on the first day of organizing such Meeting.

#### DIRECTORS.

General powers. XI.—The Board of Directors shall have the full and exclusive control and management of all the

property and affairs of this Company in every way not inconsistent with the Act of Incorporation or these Bye-laws.

XII.—The Directors shall have power to make such Assessments or Calls on the Capital Stock or Shares of this Company, from time to time, as they may deem advisable, provided, however, that no single call will at any time exceed Five Dollars per Share.

XIII.—The Directors shall have power to fill any vacancy that may occur in their own body from time to time by death, resignation or any other cause, during the intervals of Stockholders' Meetings but for no longer period.

XIV.—A quorum shall consist of a majority of the whole number of Directors, and there can be no business legally transacted at any meeting of the Board unless such majority is present; but in the event of there not being a quorum present at any meeting, a less number of Directors may adjourn from time to time until they get a quorum.

XV.—The Directors may, at any Meeting, fix the time and place for holding the next Meeting, or Special Meetings of the Board may be called at any time by the Secretary, when required so to do by the President or by any three other members of the Board. And in case the Secretary should refuse or neglect to call such Meeting, when so requested, then the President or any three other Directors may call such Meeting.

XVI.—No Meeting of the Board will be legal unless proper notice is given of the same by forwarding through the Post to the address of each Director a written or printed Circular setting forth the time and place fixed for holding said Meeting; said Circular to be posted by the Secretary of the Company or other person calling such Meeting, at least three days before the time appointed. In case of emergency, however, a Meeting may be held without such notice, provided each individual Director is notified personally of the fact within reasonable

Chairman.

Voting.

First Meeting.

Officers.

President.

Secretary.



time and consents to waive the notice but not otherwise.

**Chairman.** XVII.—The President shall, if present, preside at all meetings of the Board, but in his absence any other Director may be chosen as Chairman, and said Chairman shall, for the purposes of such Meeting, be invested with the powers and authority of the President.

**Voting.** XVIII.—All questions coming before any Meeting of Directors shall, in case of difference of opinion, be decided by a vote or show of hands of the Directors present, the President (or Chairman for the time being) having a casting vote in case of a tie.

**First Meeting.** XIX.—As soon as convenient after the election of Directors, the Secretary of the Company, for the time being, shall call a Meeting of the Board, who shall at once proceed to organize by choosing one of their own members as President.

**Officers.** XX.—The Board shall also appoint a Secretary, Treasurer, Chief Engineer, and such other Officers and Agents as may be deemed necessary; all of whom, as well as the President, shall hold their offices during the pleasure of the Board, and their salaries shall be determined, from time to time, by resolution thereof. Any two or more of these Officers may be consolidated if deemed advisable by the Board.

**President.** XXI.—The PRESIDENT shall be the Chief Executive Officer and representative of the Company. When present he shall preside at all Meetings of the Company, whether of Stockholders or Directors, he shall sign all Certificates, Deeds, Contracts, and Agreements when authorized so to do by the Board of Directors, and without his Signature no such Document will be deemed properly executed or binding on this Company; he shall, from time to time, examine into and make himself conversant with the manner in which the other Officers discharge their duties, and shall, generally, have the direction and superintendence of the ordinary affairs of the Company.

**Secretary.** XXII.—The SECRETARY shall have charge of the

Common Seal of the Company and of all Books, Deeds, Records, Contracts, Maps, Letters, Papers, and Documents of every description belonging to the Company and not pertaining exclusively to other Officers and Departments. It shall be the Secretary's duty to see that due notice, as prescribed by these By-laws, is given of all Meetings of Directors and Stockholders, and he shall keep the minutes of proceedings at all such Meetings. He shall attest all Contracts, Certificates, Deeds and Agreements and attach the Seal of the Company thereto when authorized by resolution of the Board to do so, and not otherwise. He shall keep a record of the Stock of the Company with all transfers, calls and payments made in connection therewith. It shall be his duty to prepare a full and complete list of all Stockholders properly qualified to take part in a vote at any General Meeting of the Company, and to have the same posted up in some conspicuous position at the place of holding such Meeting, for the information of all concerned, and he shall, generally, perform all such other duties and services which usually pertain to the Office of Secretary in a corporate body.

Treasurer.

XXIII.—The TREASURER (who shall give security by bonds to the satisfaction of the Board for the faithful discharge of his duties) shall keep a regular set of Books containing the accounts of the Company and of all its funds, and whenever required by the Board of Directors, shall furnish a detailed statement of all such accounts. He shall make up and deliver, for the use of the Board, a complete settlement and balance of the Books and Accounts of the Company made up to the 31st day of December (inclusive) in each year or at any other time the Board may require. He shall act solely under the directions of the Board in receiving, depositing and paying out the monies of the Company, and in no case will he pay out any money unless on the written order of the President countersigned by the Secretary and with the Seal of the Company affixed. It shall be the Treasurer's duty to notify the Stock-

Calls and S  
of Stock f  
non-payment  
thereof.

holders of all assessments on Calls ordered by resolutions of the Board of Directors, and in case of forfeiture of any Stock by reason of non-payment of the Call thereon, he shall sell by Public Auction as directed by the Board, having first carefully complied with the terms of the Act of Incorporation and the rules laid down in the following Bye-laws regarding such sales.

Calls and Sale  
of Stock for  
non-payment  
thereof.

XXIV.—Whenever any Call on assessment is ordered to be made on the shares or Stock of this Company by the Board of Directors, the Treasurer of the Company shall, forthwith, notify each Stockholder of the fact by posting to his, her, or their address, a written or printed circular wherein is stated the amount of assessment due on the total number of shares held by him, her, or them, respectively, and requesting payment of the same: and in case any Stockholder refuses or neglects to pay in said assessment within thirty-five days from the date of posting said notice, then the Treasurer shall notify them again in writing, through the post, that said stock is forfeited and will be sold by public auction, (and the Directors are hereby authorized to order the Treasurer to sell such share or shares at public auction,) having first publicly advertised the same by posting a notice to that effect on the door of the County Court House in the County of Albert,—which notice, in addition to the date and place of said sale, shall, also, set forth the name of the Stockholder whose stock is to be sold, the number of shares and the amount of assessment due thereon, and shall be posted, as aforesaid, at least, ten days previous to the time appointed for said sale.

XXV.—The Directors shall arrange and adopt suitable forms of Certificates of Stock, and, also, forms of transfer of the same.

XXVI.—No account or demand against this Company shall be paid until the same has been first submitted in writing to the Board of Directors and approved and payment authorized by them.

XXVII.—All Bye-Laws, Rules and Regulations

of this Company heretofore enacted or passed, are, hereby repealed and superceded without prejudice, however, to any matter or thing done, performed or admitted under such former Bye-Laws, Rules or Regulations, or any of them.

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