



BY AUTHORITY.

ANNO VICESIMO SEPTIMO VICTORIÆ REGINÆ.

CAP. XLII.

An Act to incorporate the European and North American Railway Extension Company.

Section.

1. Company incorporated.
2. Capital.
3. First meeting, by whom called.
4. Powers of Corporation.
5. President, &c. to exercise all powers granted to Corporations.
6. Directors to fix rate of fare.
7. Power to connect with other Rail Roads.
8. Corporation may borrow money; by what means.

Section.

9. Company to erect fences; penalty for neglect.
10. Willful obstruction or injury; penalty.
11. Annual meeting, when and where held.
12. Company to commence Railway within two years.
13. Lands held for Naval or Military purpose, exempt without consent of Her Majesty.

Passed 13th April, 1864.

WHEREAS the extension of the European and North American Railway westwardly from the City of Saint John to the eastern frontier of the United States of America, has become of paramount importance to the commercial and general interests of this Province;—

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

1. That William K. Reynolds, his associates, successors, and assigns, are hereby made and constituted a body politic and corporate, by the name of "The European and North American Railway Extension 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 at law and in equity, to secure and protect them in the exercise and use of the rights and privileges, and in the performance of the duties hereinafter granted and enjoined, and to prevent all invasion thereof in exercising and performing the same; and the said Corporation are hereby authorized and empowered, so soon as the sum of fifty thousand dollars shall be actually paid in to the Treasurer of said Company, to locate and construct, and finally complete, alter, and keep in repair, a Railroad with one or more sets of rails or tracks, with all suitable bridges, tunnels, viaducts, turnouts, culverts, drains, the erection of stations, and all other necessary appendages, from the City of Saint John or its vicinity to the Town of Saint Stephen, in the County of Charlotte, over and upon or as near as practicable to the route heretofore surveyed and marked out for the European and North American Railway Company, (by Mr. Goodwin, Civil Engineer,) whenever the said Company may deem it expedient so to do, and to make such branches thereof as they may deem proper; and the said Company shall be and hereby are 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 routes of said Railway shall not exceed six rods in width, except when greater width is necessary for the purpose of 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*, as also for the recovery of the same; and the land so taken by the said Corporation shall be held as land taken and appropriated for highways; and all applications for damages shall be made within three years from the time of taking such land or other property, and not after.

2. The capital stock of the said Corporation shall consist of three million two hundred thousand dollars, to be divided into eighty thousand shares of forty 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 hereinafter provided, and shall hold their offices until others are duly chosen in their stead, a majority of whom shall form a quorum for the transaction 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 Board shall have authority to choose and appoint a Clerk, who shall be sworn to the faithful discharge of his duty, and also a Treasurer who shall be sworn, and shall also give bonds to the Corporation with sureties to the satisfaction of the Directors, in a sum not less than eight thousand dollars, for the faithful discharge of his trust.

3. The said William K. Reynolds is hereby authorized to call the first meeting of the said Corporation, by giving notice in one or more of the newspapers published in the City of Saint John, of the time and place and purposes of such meetings, at least fourteen days before the time mentioned in such notice.

4. The said Corporation shall have power to make, ordain and establish, alter and amend all necessary bye laws and regulations, consistently with the laws in force within this Province, for their own government, and the due and orderly conducting of their 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 purposes of locating and completing said 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 affairs of the Corporation, as may be necessary and proper to carry into effect the objects of this Act; to purchase and hold within or without the Province, land, materials, engines, cars, and other necessary things, in the name of the said Corporation, for the use of said Road, and for the transportation of persons, goods and property of all descriptions; to make such equal assessments from time to time on all the shares in the said Corporation, as they may deem necessary