

which said tracks or any of them shall run; and shall not change or alter such grades without consent of the Common Council, if within said City, or of the Road Commissioners or other authorized authority, if within any Parish in said County.

19. The Company shall be bound to put the streets and highways in or upon which any of their works shall be executed, in as good a state of repair as they were previous to the commencement of such works, and to maintain in like good condition any portion of said streets and highways disturbed for the purposes of said Company, for the space of one calendar month; and whenever a double track may be laid in any street or highway that does not exceed sixty feet in width, the said Company shall maintain and keep in good order and complete repair at all times all such portions of said streets and highways between the outer edge of the gutters at the side walks of such streets and highways; and wherever a single track only may be laid in any such streets or highways, or such streets or highways shall be more than sixty feet in width, then the said Company shall maintain and keep in good order and complete repair at all times all that portion of such streets or highways on the track between the rails and to a distance of twelve inches outside of said rails.

20. The Common Council in the City of Saint John, and the Commissioners of Roads in the several Parishes through which such Railway may pass, shall have the right to take up and open the streets traversed by the rails, either for the purpose of altering the grades thereof, or for any other purpose; and any Commissioner or Commissioners, Corporation, or person or persons, authorized by law to carry on any public or private works, as the laying down pipes for gas or water drains, sewers, or other work whatsoever, may also remove such rails, or any part thereof, for any necessary purpose within their power and authority, without the said Company being entitled to have or claim any compensation or damage therefor, or for any cost, expenses or detention occasioned thereby; provided always, that in case such works be disturbed by the Saint John Gas Company, or any other private Corporation now existing, or that may hereafter exist, then such private Company or Corporation shall relay the rails in as good condition as they were before such disturbance took place, and with the least possible delay.

21. Cars shall not be driven on such Railway, or any part thereof, at a greater speed than at the rate of seven miles per hour, and two or more bells shall be attached to each horse while in use on such Railway; provided that within the limits of the City of Saint John the rate of speed shall be regulated from time to time by the Common Council of the City; no freight or luggage shall be carried or conveyed on such line of Railway, or any of the cars driven or employed thereon, unless in charge of a passenger, and then the weight carried at any one time, in charge of any one passenger, shall not exceed sixty pounds.

22. The said Company shall have power to make, ordain, establish, alter and amend, at any general or special meeting, bye laws and regulations for the management of the affairs of the said Company, not inconsistent with the Laws in force in this Province; and also to make, ordain, establish, alter and amend, with the sanction of the Common Council of said City, rules and regulations for the government of the Railway, and the cars and trains running thereon.

23. A toll is hereby granted and established for the sole use and benefit of the said Company, upon all passengers, and also upon property of all descriptions which may be conveyed and transported upon said road, under the provisions of this Act, at such rate and rates of fare as may be established and determined from time to time by the Directors of the said Company; and the same may be recovered with costs by the said Company, in any Court of competent jurisdiction; and whoever fraudulently evades or attempts to evade the payment of any toll or fare established by the said Company, either by giving a false answer to the collector of the toll or fare, or by travelling beyond the point to which he has paid the same, or by leaving the rail car without having paid the toll or fare established for the distance travelled, or otherwise, shall be punished by fine of not less than five dollars nor more than twenty dollars for each offence, to be recovered with costs in the name of any person who may prosecute for the same before the Police Magistrate of the City of Saint John, or the Police Magistrate of the Parish of Portland: Whoever does not, upon demand, first pay the lawful toll or fare, shall not be entitled to be transported over the railways or tracks of the said Company.

24. When the accumulation of snow or ice on the streets or highways along the line of Railway shall be such as to permit the use of sleighs or sleds, it shall not be lawful for the said Company to remove the ice or snow from such line of Railway, but they shall have and provide suitable conveyances by sleighs and sleds; any person or persons cutting out or removing any ice or snow from the rails or track, in violation of this provision, shall forfeit and pay a penalty of forty dollars for each and every offence, unless permission so to do be first obtained from the Mayor of said City for the time being.

25. The said Company, for the purpose of funding its floating debt, or for money borrowed for the purpose of constructing or equipping any of its railways or tracks, or the necessary works of the Company, may issue Bonds in sums of not less than one hundred dollars each, payable at periods not exceeding twenty years from the date thereof, and bearing interest not exceeding the rate of six per cent. per annum.

26. The privilege hereby granted to the said Company shall extend over a period of forty years from the passing of this Act, but should the said Company at any time give up the working and use of the said Railway, or cease to exercise the privileges hereby granted to them, they shall be bound to remove the rails after three months notice from the Common Council, and to put the streets traversed by the rails in good repair and condition.

27. If the said Company fail to establish and complete a line of Railway from Reed's Point, (so called) in Prince William Street, within the City of Saint John, through Prince William Street, and so along Dock Street to the Parish of Portland, (the Common Council of said City having granted permission to use such Streets,) and so through the Parish of Portland to Indian Town, (the General Sessions of the Peace having granted permission to use such Highways,) so that said line of Railway is not fully completed from Reed's Point to Indian Town aforesaid, within three years from the passing of this Act, then they shall forfeit all rights under this Act, and the same shall cease and be utterly annulled.