

of Saint Andrews, and also a Railroad with one or more sets of rails or tracks, with all suitable bridges, viaducts, turnouts, culverts, drains, and other necessary appendages, from the said Wharf, over the most practicable route, to the line of the Railroad of the New Brunswick and Canada Railway and Land Company, when the said Company may deem it expedient so to do; 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 that 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 use and operation of the said Wharf and Railroad, and the stations connected therewith; and they shall also have the right to take, remove and use for the construction and repair of said Railroad and Wharf and appurtenances, any earth, gravel, stone or other material on or from the land so taken; and also to erect such wharves, jetties, piers, docks, landings, buildings and warehouses at the termini or on the line of the said Railway, and to purchase and acquire such floats or other machinery as may be necessary for the making and maintaining the said Wharf and Railway, and other purposes of this Act; provided however, that the said land so taken for the said Wharf shall not exceed five hundred feet in width, and for the route of the said Railroad not exceeding three rods in width, except where greater width is necessary for the purpose of excavation or embankment; and provided also, that in all cases the said Corporation shall pay for said lands, estate and materials so taken and used, such price as they and the 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 the 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 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 fifty thousand dollars, to be divided into two thousand shares of twenty five dollars each, with power to increase to seventy five thousand dollars; 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 manner hereinafter provided, and shall hold their offices until others are 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 be the President of the Corporation; and the said Directors shall have authority to choose a Clerk, who shall be sworn to the faithful discharge of his duty, and a Treasurer, who shall be sworn and give bonds to the Corporation with sureties to the satisfaction of the Directors for the faithful discharge of his trust.

3. Any three of the persons named in the first Section of this Act are hereby authorized to call the first meeting of the said Corporation, by giving notice in one or more news-

papers published in the said County of Charlotte, of the time and place and purpose of such meeting, at least fourteen days before the time appointed 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 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 said Corporation, for the purpose of locating, erecting and completing the said Deep Sea Wharf and Railway, and to make such connection with any Railway Company, either by leasing their Road to such other Corporation on such terms 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 said Wharf and Road, with their appurtenances, to such private persons or Corporations within or without this Province, as they may think the interest of the shareholders in their Company requires.

6. It shall be lawful for the said President, Directors and Company from time to time, to make such calls of money upon the respective stockholders, in respect of the amount of capital respectively subscribed or owing by themselves, as they shall deem necessary; provided that thirty days at the least shall be the interval between successive calls, and twenty days previous notice of payment being required for any one call shall be given in one of the newspapers published in the said County of Charlotte; and no call which shall be made shall exceed ten per cent. on the amount of capital or stock belonging to any individual; and every shareholder, and his legal representatives, shall be liable to pay the amount of the call so made, in respect of the shares held by him, to the persons and at the times and places from time to time appointed by the said Company or the Directors thereof.

7. If before or on the day appointed for payment, any shareholder do not pay the amount of any call to which he is liable, then such shareholder shall be liable to pay interest for the same, at the rate allowed by law, from the day appointed for the payment thereof to the time of actual payment.

8. If at the time appointed by the said President, Directors and Company for the payment of any call, any shareholder fail to pay the amount of such call, it shall be lawful for the said Company to sue such shareholder for the amount thereof, in any Court of law or equity having competent jurisdiction, and to recover the same, with lawful interest, from the day on which such call was payable.

9. In any action or suit to be brought by the said Company against any shareholder to recover any money due for any call it shall not be necessary to set forth the special matter, but it shall be sufficient for the said Company to declare that the defendant is the holder of one or more shares in the said Company, (stating the number of shares), and is indebted to the said Company in the sum of money to which the calls in arrear shall amount in respect of one call or more upon one share or more, (stating the number and amount of each of such calls), whereby an action hath accrued to the said Company by virtue of this Act.