

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 or 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 Company*, 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 two millions of dollars, to be divided into one hundred thousand shares of twenty dollars each, with power to increase to three millions of dollars, with additional shares of twenty 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 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 Directors shall have authority to choose a Secretary, who shall be sworn to the faithful discharge of his duty; 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. 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 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 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 or her 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 of sale as may be prescribed as aforesaid, to the highest bidder, and the same shall be transferred to the purchaser or purchasers; and such delinquent subscriber or stockholder shall be held accountable to the Corporation for the balance, if his or her share or shares shall sell for less than the assessment due thereon, with the interest and costs of sale, and shall be entitled to the overplus if his or her share or shares shall sell for more than the assessment due, with the interest and costs 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 twenty dollars per share in the whole.

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

7. The said Corporation is hereby authorized and empowered to connect any Railroad they may construct under this Charter with any other Railroad now existing, or hereafter to be constructed within the Province; and the Legislature may authorize any other Company or Companies to connect any other Railroad or Railroads with the Railroad of said Corporation at any point or points on the route of said Railroad.

8. The said Corporation are hereby authorized and empowered, whenever they may deem it expedient, to raise money upon mortgage of their said road and its branches, and for that purpose make and issue proper bonds or debentures and coupons; and to make, execute and deliver under their corporate seal good and sufficient mortgage deed or deeds of their road and all its branches, to such private person or persons, Corporation or Corporations, as they may think fit so to contract with.

9. The said 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 improved; 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 within and for the County or City and County wherein such fence or fences ought to have been erected and maintained, and to be fined in such sum as shall be adjudged necessary to erect or repair the same; and such fine 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 fences, under the direction