

In the Superior Court, Montreal.

BEFORE MR. JUSTICE MONK.

ALFRED MORRISON,

Petitioner.

THE GRAND TRUNK RAILWAY COMPANY
OF CANADA,

Defendants.

Reported by JAMES KIRBY, B.A., Student-at-Law.

FIRST DAY.

23RD OCTOBER, 1861.

Mr. A. ROBERTSON opened the case for the Plaintiff, and stated in effect that the petition was filed by a preferential bondholder, of which the conclusions were to the effect:—

1. That it be declared that as such bondholder, the petitioner was entitled to a first hypothec, mortgage, and lien upon the railway, tolls, and rolling stock of the Company, and to have the road worked and the tolls and profits applied to the payment of interest on the preferential bonds and other debts of the company, according to their legal rank and priority.

2. For the recovery of £636 sterling, interest due in January last, upon bonds for £10,600 held by the plaintiff.

3. That it be declared that by reason of the Provincial Statutes cited, and the nature of the rolling stock as *immovables par destination*, such stock could not be sold by the Sheriff nor could the road itself.

4. That a *Sequestre* or receiver be named by whom the railway should be worked and the tolls and revenues received,