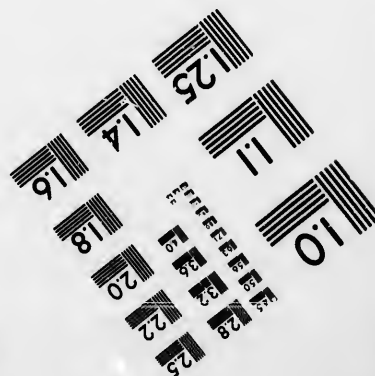
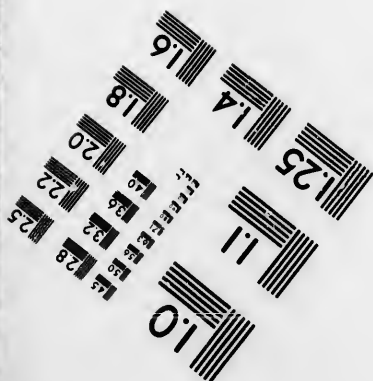
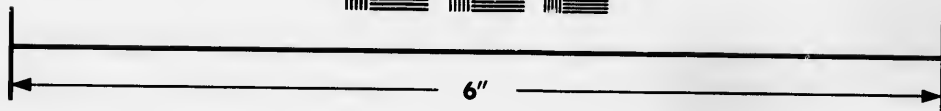
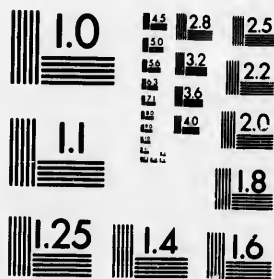


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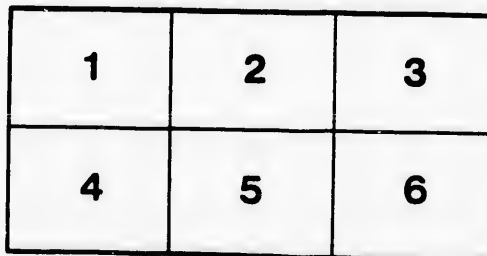
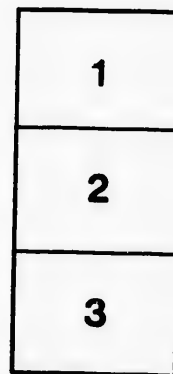
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THE  
**QUEBEC RAILWAY**  
**STATUTES**

A COMPILATION OF ALL RAILWAY CHARTERS GRANTED, WITH THE AMENDMENTS  
THERE TO, UP TO AND INCLUDING THE SESSION OF 1883

WITH A COPIOUS ALPHABETICAL INDEX

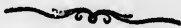
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**CHRIS. MASSIAH**

REVISED BY

**R. J. BRADLEY, ADVOCATE**

SECRETARY OF THE BAR OF QUEBEC



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PUBLISHED BY A. COTÉ & Co  
—  
1883

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ANNO TRICESIMO ET TRICESIMO-PRIMO.

# VICTORIÆ REGINÆ.

CAP. XVI.

An act for authorizing a Guarantee of Interest on a Loan to be raised by *Canada* towards the construction of a Railway connecting *Quebec* and *Halifax*.

[12th April, 1867.]

**W**HETHERAS the construction of a railway connecting the port of *Rivière du Loup*, in the province of *Quebec*, with the line of railway leading from the city of *Halifax*, in the province of *Nova Scotia*, at or near the town of *Truro*, in a line, and on conditions approved by one of Her Majesty's principal Secretaries of State, would conduce to the welfare of *Canada* and promote the interest of the British Empire :

And whereas it would greatly facilitate the construction of that railway (in this act referred to as the railway) if payment of interest on part of the money required to be raised for the same were guaranteed under the authority of Parliament :

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same as follows :

1. Subject to the provisions of this act, the commis-  
sioners of Her Majesty's treasury may guarantee, in such  
manner and form as they think fit, payment of interest at a  
rate not exceeding four per centum per annum on any prin-  
cipal money not exceeding the sum of three million pounds  
sterling, to be raised by way of loan by the government of  
Power for trea-  
sury to gua-  
rantee interest  
on loan.

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*The Canadian Railway Loan Act, 1867.*

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Canada for the purpose of the construction of the railway; and the commissioners of Her Majesty's treasury may from time to time cause to be issued out of the consolidated fund of the United Kingdom, or the growing produce thereof, any money required for giving effect to such guarantee.

Approval of  
line and use of  
railway for  
troops, &c.

2. The commissioners of Her Majesty's treasury shall not give any guarantee under this act unless and until an act of the parliament of *Canada* has been passed, within two years after the union of *Canada* under the *British North America Act, 1867*, providing to the satisfaction of one of Her Majesty's principal Secretaries of State, as follows :

1. For the construction of the railway :
  2. For the use of the railway at all times for Her Majesty's military and other service :
- Nor unless and until the line in which the railway is to be constructed has been approved by one of Her Majesty's principal Secretaries of State.

Raising and  
expenditure of  
a loan charged  
on Canadian  
Revenue, with  
Sinking Fund,  
&c.

3. The commissioners of Her Majesty's treasury shall not give any guarantee under this act unless and until an act of the parliament of *Canada* has been passed providing, to the satisfaction of the commissioners of Her Majesty's treasury, as follows :

1. For the raising, appropriation and expenditure for the purpose of the construction of the railway of a loan not exceeding three million pounds sterling, bearing interest at a rate not exceeding four per centum per annum :
2. For charging the consolidated revenue fund of *Canada* with the principal and interest of the loan immediately after the charges specifically made thereon by sections one hundred and three, one hundred and four, and one hundred and five of the *British North America Act, 1867* :
3. For the payment by the government of *Canada* by way of sinking fund of an annual sum at the rate of one per centum per annum on the entire amount of principal money whereon interest is guaranteed, to be remitted to the commissioners of Her Majesty's treasury by equal half-yearly payments in such manner as they from time to time direct, and to be invested and accumulated under their direction in the names of four trustees, nominated from time to time, two by the commissioners of Her Majesty's treasury and two by the government of *Canada*, such sinking

*The Canadian Railway Loan Act, 1867.*

- fund and its accumulations to be invested in securities of the Provinces of *Canada*, *Nova Scotia* and *New Brunswick*, issued before the union of *Canada*, or, at the option of the government of *Canada*, in such other securities as may be proposed by that government and approved by the commissioners of Her Majesty's treasury, and to be applied under the direction of the commissioners of Her Majesty's treasury in discharge of principal money whereon interest is guaranteed;
4. For charging the consolidated revenue fund of *Canada* with the amount of the sinking fund immediately after the principal and interest of the loan;
  5. For charging the consolidated revenue fund of *Canada* with any sum issued out of the consolidated fund of the United Kingdom under this act, with interest thereon at the rate of five *per centum per annum*, immediately after the sinking fund;
  6. For continuance of the sinking fund until all principal and interest of the loan, and all sums issued out of the consolidated fund of the United Kingdom under this act, and all interest thereon, are fully discharged, or until the sinking fund and its accumulations are adequate to discharge so much thereof as remains undischarged;
  7. For the raising by the government of *Canada* (without guarantee by the commissioners of Her Majesty's treasury) of all such money (if any) beyond the sum of three million pounds sterling as, in the opinion of one of Her Majesty's principal secretaries of state, will be requisite for the construction of the railway, and for charging the consolidated revenue fund of *Canada* with the money so raised, and interest, immediately after the charges made thereon in pursuance of the foregoing provisions of this section.
4. There shall be laid before both houses of parliament, Statement and account to be laid before houses of Parliament. within fourteen days next after the beginning of every session, a statement and account showing what has been done from time to time in execution or pursuance of this act by or under the direction of the commissioners of Her Majesty's treasury, and one of Her Majesty's principal secretaries of state, and the parliament and government of *Canada*,
5. This act may be cited as *The Canada Railway Loan Act, 1867.* Short title.



## CAP. XXXIX.

An Act to amend the act Incorporating the Montreal City Passenger Railway Company.

[Assented to, 24th February, 1868.]

Preamble.

WHEREAS the Montreal City Passenger Railway Company has petitioned the legislature for certain amendments to its act of incorporation ; and whereas it is expedient to grant the same : Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Penalty for obstructing the railway track.

1. If any person wilfully remains on the track of the railway of the said company, or obstructs the track of the said railway company by keeping upon the same any carriage or vehicle or any cattle or beast under his charge or does any other act, so as to interfere with or impede the running of the cars of the company, such person shall be liable to a penalty not exceeding twenty dollars currency, in the discretion of the justice of the peace before whom the conviction is had.

Penalty for damaging or interfering with rails, &c.

2. If any person wilfully displaces or removes any switch or rail or any portion of the track of the said railway, or in any way, wilfully injures, impairs or destroys any railway track, or any portion thereof, or does any injury to any property of the said company such person shall be liable to a penalty of fifty dollars currency over and above any damage for which such person may be held liable under civil process.

Infractions of the company's rules by its servants, how punished.

3. If any officer, clerk, workman or servant of the company wilfully or negligently contravenes any by-law rule, resolution or regulation of the company, lawfully made, he shall incur a penalty not exceeding forty dollars currency, in the discretion of the justice of the peace before whom the conviction is had, and the company may in all such cases pay the amount of penalty and costs, and deduct the same from his salary or pay.

Recovery and application of penalties.

4. All prosecutions for the recovery of the penalties hereinbefore imposed shall be brought before any justice of the peace in a summary manner ; and one moiety of the penalty shall belong to Her Majesty, for the public uses of the province ; and the other moiety to the prosecutor, unless he be an officer, servant of, or person in the employ of the company. in which case he shall be a competent witness, and the whole penalty shall belong to Her Majesty.

5. The company may, by a by-law, impose upon any officer, clerk, workman or servant employed by the company, a forfeiture to the company of not less than seven and not exceeding thirty days' pay of such officer, clerk, workman or servant, for any contravention of any by-law, or resolution lawfully made, and may retain any such forfeiture out of the salary or wages of the offender.

Company may impose fines on its servants.

6. If any person enters any of the cars, sleighs, or other vehicles of the company used in the transport of passengers, in a state of intoxication, or if any person, being in any of the said cars, sleighs, or other vehicles, makes use of obscene or indecent language, or is guilty of conduct against decency, or such as to incommode or in any way interfere with the comfort of the passengers, such person may be ordered forthwith to leave the said car, sleigh, or other vehicle; and in default of such person leaving forthwith, such person may be removed from the said cars, sleighs, or other vehicles without return of fare (should the same have been paid) by any officer, clerk or servant of the company, and any person may lawfully aid and assist such officer, clerk or servant in so doing.

Power to expel from cars persons misbehaving.

7. All persons claiming any loss or damage from the company, for any causes whatever, shall be bound, within before the delay of a month before the institution of any prosecution for such costs or damages, to give notice in writing, to the company of such claim, by serving the same upon the secretary of the company, at its chief office in the city of Montreal, with a detailed statement of such costs or damages.

Company entitled to 1 month's notice before being sued.

8. Any prosecution for the recovery of any penalty imposed by this act (except the forfeiture imposed by the fifth section, for which no prosecution shall be required,) may be commenced by summons, or by warrant, and recovered in a summary manner, before a justice of the peace, as provided by law; and the justice by whom the said prosecution is heard and determined may award costs to either party.

Recovery of penalties.

#### CAP. XLV.

An Act to amend the Act incorporating the Massawippi Valley Railway Company.

[Assented to, 24th February, 1868.]

**W**HEREAS the Massawippi Valley Railway Company have petitioned the legislature for certain amend-

Preamble.

ments to their act of incorporation, and whereas it is expedient to grant the same :

Therefore Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Company to build a branch road to Rock Island.

1. In addition to the powers conferred upon the said company by their special act of incorporation, it shall be lawful for the said company to construct a branch line or spur from any point on their main line of railway to the village of Rock Island in Stanstead, or so near thereto as may be approached by practicable grades ; and their track shall be so laid at their terminus nearest Rock Island that freights may be received and delivered at the town of Derby.

Directors may alter the main line.

2. Notwithstanding anything contained in the said act of incorporation, the said company shall have power to construct their main line from the point at which the said branch or spur shall diverge to the township of Hatley, by whatever route the directors of said company shall think most advantageous ; and shall not be obliged to touch the point designated in the said act of incorporation as the "Benson Place."

These powers deemed to have been given in first act.

3. The additional powers conferred upon said company by this act shall be exercised in as full and ample a manner as if they had been embodied in the said special act of incorporation and shall be in like manner affected by the several clauses of the "railway act" which are incorporated into said special act by the second clause thereof ; and the said branch or spur shall in effect become a portion of the main line.

Certain municipalities may contribute to a limited amount

4. The council of any local municipality, the interests of which are in the opinion of said council, to be beneficially affected by the construction of said railway and which has not already subscribed to the stock of said company, may by a by-law passed at any regular or special session of said council, authorize their mayor or secretary-treasurer to enter into and subscribe on behalf of the municipality a binding contract and agreement with said company, whereby the said municipality shall be bound to pay to said railway company, the sum of money fixed in the said by-law (but not to exceed ten thousand dollars), and at such times and by such instalments, and bearing such a rate of interest, not exceeding seven per cent, as may be fixed in said by-law, in consideration of the advantage which such municipality is expected to derive from the construction of said railway ; and may provide in such by-law that the sum or sums of money therein authorized shall be given to said railway company as a bonus

By-law for that purpose ; what it shall set forth.

or gratuity for which no equivalent in stock or otherwise is to be returned, in order to aid said railway company in the purchase of the right of way and settlement of land damages on their land of railway.

5. No such by-law shall have any force or effect until it shall have been published and approved by the rate payers, in the manner prescribed in the several clauses between the eleventh and twenty-second clauses of chapter eighty-three of the consolidated statutes of Canada; but the provisions of the said chapter shall not in any other way apply to or affect such by-law. By-law to be approved. C. S. C. c. 83, ss. 11 to 22.

6. After such publication and approval, such by-law and any contract made in conformity thereto, shall have the fullest legal effect, without any other act or formality. By-law sufficient without other formality.

7. The sum or sums of money necessary, for the fulfilment of any contract which may be made under such by-law, including costs of collection, may be provided by borrowing upon the credit of such municipality, by the issuing of debentures or bonds or by assessment in either case conformably with the general provisions of the municipal and road act. And the method by which such sum or sums of money and the cost of collecting the same shall be provided may be determined either in such by-law or in any subsequent by-law of said council. But the creditor under such contract shall not be delayed in his proceedings by reason of the negligence of any such municipality, but may sue for the recovery of his debt before any court of competent jurisdiction whenever the same shall have become due and payable according to the terms of such contract. How municipalities shall obtain the money required. Creditors may sue the municipality.

8. The Honorable Alexander T. Galt, Benjamin Pomroy, esquire, Henry R. Adams, esquire, Charles Brooks, esquire, Albert Knight, esquire, Charles Pierce, esquire, Ozro Merrill, esquire, Stephen Foster, esquire, and Charles C. Colby, esquire, who have been elected and are now acting as directors of said railway company, shall be deemed to have been legally elected to such office and are hereby fully empowered to act as directors until the next annual meeting of said railway company for the election of directors, and any vacancies which may occur upon the board of directors before said annual meeting may be filled in the manner prescribed in the Railway Act. Present directors continued in office. Vacancies.

9. Notwithstanding anything in the one hundred and seventeenth section of the sixty-sixth chapter of the consolidated statutes of Canada known as the Railway Act and Notwithstanding C. S. C. c. 86, s. 117, &c., and powers of com-

pany deemed  
not to have  
ceased, on con-  
dition, &c.

notwithstanding anything contained in the special act of the said company, the corporate existence and powers of the said company shall be deemed to have continued and shall continue in full force and effect, provided the said railway be commenced within two years and completed within five years after the passing of this act.

Increase of  
capital.

10. The capital stock of the said Massawippi Railway Company shall be and is hereby raised to the sum of eight hundred thousand dollars currency.

### CAP. LI.

#### An Act respecting Railways.

[Assented to 5th April, 1869.]

(Repealed by 43-44 Vict. Chap. 48)

Preamble.

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Short title.

1. In citing this act, it shall be sufficient to use the expression "*The Quebec Railway Act, 1869.*"

#### APPLICATION OF ACT.

Application of  
the several  
parts of this  
Act.

2. The provisions of this act, from section five to section twenty-two, both inclusive, being part first of the act, shall apply to every railway hereafter to be constructed under the authority of any act passed by the legislature of Quebec, and shall, so far as they are applicable to the undertaking, and unless they are expressly varied or excepted by the special act, be incorporated with the special act, form part thereof, and be construed therewith as forming one act.

How any sec-  
tion may be  
excepted  
from incorpo-  
ration with  
any special  
acts.

3. For the purpose of excepting from incorporation with the special act any of the sections forming part first of this act, it shall be sufficient in the special act to enact, that the sections of this act proposed to be excepted, referring to them by the words forming the headings of such sections respectively, shall not be incorporated with such act, and the special act shall thereupon be construed accordingly.

To what rail-  
ways the other  
provisions of  
this act shall  
apply.

4. The remaining provisions of this act, being part second, shall apply to all railways which may hereafter be constructed under the authority of any special act passed by the legislature of Quebec, and to all companies hereafter incorporated for their construction and working.

## PART FIRST.

## INTERPRETATION.

5. 1. The expression "the special act," used in this act, shall be construed to mean any act authorizing the construction of a railway, with which this act is incorporated; Interpretation of the words: "The Special Act."
2. The word "prescribed," used in this act in reference to any matter herein stated, shall be construed to refer to such matter, as the same is prescribed or provided for in the special act; and the sentence in which such word occurs shall be construed as if, instead of the word "prescribed," the expression "prescribed for that purpose in the special act" had been used; "Prescribed."
3. The expression "the lands" shall mean the lands which by the special act are authorized to be taken or used for the purpose thereof; "The lands."
4. The expression "the undertaking," shall mean the railway and works of whatever description, by the special act authorized to be executed; "The undertaking."
5. The following words and expressions, both in this and the special act, shall have the meanings hereby assigned to them, unless there is something in the subject or context repugnant to such construction, that is to say; In this and the special act.
6. The word "lands" shall include all real estate, messuages, lands, tenements and hereditaments of any tenure; "Lands."
7. The word "lease" shall include any agreement for a lease; "Lease."
8. The word "toll" shall include any rate or charge or other payment payable under this act or the special act, for any passenger, animal, carriage, goods, merchandise, matters or things conveyed on the railway; "Toll."
9. The word "goods" shall include things of every kind that may be conveyed upon the railway, or upon steam or other vessels connected therewith; "Goods."
10. The word "county" shall include any union of counties, county, or any division thereof into separate municipalities; "County."
11. The word "highways" shall mean all public roads, streets, lanes and other public ways and communications; "Highways."
12. The word "sheriff" shall include under-sheriff or other legal competent deputy; and where any matter in relation to any lands is required to be done by any sheriff or clerk of the peace, the expression "the sheriff," or the expression "clerk of the peace," shall in such case be construed to mean the sheriff or clerk of the peace of the district, where such lands are situate; and if the lands in question, being the property of one and the same party, be situate not wholly in one district, the same expression shall be construed to "Clerk of the peace."

mean the sheriff or clerk of the peace of any such district, where any part of such lands is situate ;

" Justice."

13. The word " justice " shall mean a justice of the peace acting for the district, where the matter requiring the cognizance of a justice arises, and who is not interested in the matter ; and where the matter arises in respect of lands being the property of one and the same party, situate not wholly in one district, the word " justice " shall mean a justice acting for the district where any part of such lands is situate, and who is not interested in such matter ; and where any matter is authorized or required to be done by two justices, the expression " two justices " shall be understood to mean two justices assembled and acting together ;

" Two justices."

" Owner."

14. The word " owner," where, under the provisions of this act or the special act, any notice is required to be given to the owner of any lands, or where any act is authorized or required to be done with the consent of the owner, shall be understood to mean any corporation or person who, under the provisions of this act, or the special act, or any act incorporated therewith, would be enabled to sell and convey lands to the company ;

" The company."

15. The expression " the company " shall mean the company or party authorized by the special act to construct the railway ;

" The railway."

16. The expression " the railway " shall mean the railway and works by the special act authorized to be constructed."

#### INCORPORATION.

Companies established under special acts, declared to be bodies corporate, &c.

6. Every company established under any special act shall be a body corporate under the name declared in the special act, and shall be vested with all the powers, privileges and immunities necessary to carry into effect the intentions and objects of this act and of the special act therefor, and which are incident to such corporation, or are expressed or included in the civil code.

#### POWERS.

Powers :

To receive grants of land &c. ;

Purchase of land ;

7. The company shall have power and authority :

1. To receive, hold and take all voluntary grants and donations of land or other property made to it, to aid in the construction, maintenance and accommodation of the railway, but the same shall be held and used for the purpose of such grants or donations only ;

2. To purchase, hold and take of any corporation or person any land or other property necessary for the construction, maintenance, accommodation and use of the railway, and also to alienate, sell or dispose of the same ;

3. No railway company shall take possession of, use or occupy any lands belonging to the province, without the consent of the lieutenant-governor in council; but with such consent any such company may take and appropriate for the use of their railway and works, but not alienate, so much of the wild lands of the crown lying on the route of the railway, as have not been granted or sold, and as may be necessary for such railway, as also so much of the public beach or of the land covered with the waters of any lake, river, stream or canal, or of their respective beds, as is necessary for making and completing and using their said railway and works, subject, however, to the authority and control of the parliament of Canada as regards navigation and shipping.

Occupy public lands, beaches, &c., with consent of the crown;

4. The company shall have power and authority to make, carry or place the railway across or upon the lands of any corporation or person on the line of the railway, or within the distance from such line stated in the special act, although, through error or other cause, the name of such party has not been entered in the book of reference herein-after mentioned, or although some other party has been erroneously mentioned as the owner of or entitled to convey, or as interested in such lands;

Power to carry railway across lands of corporations, and others;

5. To construct, maintain and work the railway across, along, or upon any stream of water, watercourse, canal, highway or railway which it intersects or touches; but the stream watercourse, highway, canal or railway so intersected or touched, shall be restored by the company to its former state, or to such state as not to impair its usefulness;

And across or along streams &c.

6. To make, complete, alter and keep in repair the railway with one or more sets of rails or tracks to be worked by the force and power of steam, or of the atmosphere, or of animals, or by mechanical power, or by any combination of them;

To complete railway with one or more tracks, &c.;

7. To erect and maintain all necessary and convenient buildings, stations, depots, wharves and fixtures, and from time to time to alter, repair or enlarge the same, and to purchase and acquire stationary or locomotive engines and carriages, waggons, floats and other machinery necessary for the accommodation and use of the passengers, freight and business of the railway;

Erect necessary buildings, wharves, &c.

8. To make branch railways and to manage the same, and for that purpose to exercise all the powers, privileges and authorities necessary therefor in as full and ample a manner as for the railway, provided that the sanction of the lieutenant governor in council be first obtained for the construction of such branch and that no such branch exceed ten miles in length;

Branch railways;



- All other matters and things necessary for railway ; 9. To construct, and make all other matters and things necessary and convenient for the making, extending and using of the railway, in pursuance of this act, and of the special act ;
- To convey persons and goods on railway ; 10. To take, transport, carry and convey persons and goods on the railway, to regulate the time and manner in which the same shall be transported, and the tolls and compensation to be paid therefor, and to receive such tolls and compensation ;
- Borrow money, &c. 11. To borrow from time to time, either in Canada or elsewhere, such sums of money as may be expedient for completing, maintaining, or working the railway, and at a rate of interest not exceeding eight per cent per annum, and to make the bonds, debentures or other securities granted for the sums so borrowed, payable either in currency or in sterling, and at such place or places within Canada or without as may be deemed advisable, and to sell the same at such prices or discount as may be deemed expedient, or be necessary, and to hypothecate, mortgage or pledge the lands, tolls, revenues and other properties of the company for the due payment of the said sums and the interest thereon, but no such debenture shall be for a less sum than one hundred dollars ;
- To issue bonds, debentures, &c. 12. To enter into and upon any crown lands without previous licence therefor, or into and upon the lands of any corporation or person whatsoever lying in the intended route or line of the railway ; and to make surveys examinations, or other necessary arrangements on such lands necessary for fixing the site of the railway, and to set out and ascertain such parts of the lands as are necessary and proper for the railway ;
- To enter upon lands, &c. 13. To fell or remove any trees standing in any woods, lands or forests, where the railway passes, to the distance six rods from either side thereof ;
- To make surveys of lands 14. To cross, intersect, join and unite the railway with any other railway at any points on its route, and upon the lands of such other railway, with the necessary conveniences for the purposes of such connection ; and the owners of both railways may unite in forming such intersection, and grant the facilities therefor ; and in case of disagreement upon the amount of compensation to be made therefor, or upon the point or manner of such crossing and connection, the same shall be determined by arbitrators to be appointed by a judge of the Superior Court ;
- To remove trees ; 15. But no railway company shall avail itself of any of the powers contained in the next preceding sub-section without application to the railway committee, constituted by the twenty-third section of this act, for approval of the mode of crossing, union or intersection proposed ; of which
- To cross or unite with other railways ;
- But not without application to the railway committee under section 23.

application, notice in writing shall be given to any other railway affected, by sending the same by mail or otherwise to the address of the president, superintendent, managing director or secretary of any such railway company, and when such approval has been obtained, it shall be lawful for either railway, in case of disagreement as to the amount to be paid for compensation, to proceed, for the determination of such compensation, as provided in the said subsection ;

16. Any railway company may construct a branch of Any railway company may construct branch railways on certain conditions, branches not exceeding six miles in length from any terminus or station of their railway, whenever a by-law sanctioning the same has been passed by the municipal council of the municipality within the limits of which such proposed branch is situate, and no such branch shall, as to the quality and construction of the road, be subject to any of the restrictions contained in the special act, or in this act, nor shall any thing in either of the said acts authorize the company to take for such branch any lands belonging to any party without the consent of such party first obtained ;

17. Any railway company desiring at any time to change the location of its line of railway in any particular part for the purpose of lessening a curve, reducing a gradient, or otherwise benefiting such line of railway, or for any other purpose of public advantage, may make such change ; and all and every the clauses of this act shall refer as fully to the part of such line of railway so at any time changed or proposed to be changed as to the original line ; but no railway company shall have any right to extend its line of railway beyond the termini mentioned in the special act ;

18. The original capital stock of any railway company may be increased from time to time to any amount, but such increase must be sanctioned by a vote in person or by proxy, of at least two-thirds in amount of all the shareholders, at a meeting expressly called by the directors for that purpose, by a notice in writing to each shareholder, served on him personally, or properly directed to him, and deposited in the post office, at least twenty days previous to such meeting, stating the time and place and object of the meeting, and the amount of increase, and the proceedings of such meeting must be entered on the minutes of the proceedings, and thereupon the capital stock may be increased to the amount sanctioned by such a vote.

19. Railway companies shall have the right to establish telegraphic lines along the whole extent of the railway at such places along the line and with offices at such places as shall be determined upon by the directors and such telegraphs may be used by the public generally in conformity with the rules and regulations that the company may adopt.

## PLANS AND SURVEYS.

Provisions respecting surveys and levels. Map and book of reference; contents.

8. Plans and surveys shall be made and corrected as follows :

1. Surveys and levels shall be taken and made of the lands through which the railway is to pass, together with a map or plan thereof, and of its course and direction, and of the lands intended to be passed over and taken therefor, so far as then ascertained, and also a book of reference for the railway, in which shall be set forth :—

- a. A general description of the said lands ;
- b. The names of the owners and occupiers thereof, so far as they can be ascertained ; and,
- c. Every thing necessary for the right understanding of such map or plan ;

To be examined certified and copies deposited.

2. The map or plan and book of reference shall be examined and certified by the commissioner of agriculture and public works, or his deputy, and a duplicate thereof, so examined and certified, shall be deposited in the office of the department of public works, and the company shall be bound to furnish copies of such map or plan and book of reference or of such parts thereof as relate to each district through which the railway is to pass, to be deposited in the offices of the clerks of the peace for such districts respectively ;

Access to copies.

3. Any person may resort to such copies, and make extracts or copies thereof, as occasion requires, paying to the clerks of the peace, at the rate of ten cents for every hundred words ;

Certified copies to be evidence.

4. Such map or plan and book of reference so certified, or a true copy thereof certified by the commissioner of agriculture and public works, or by the clerks of the peace, shall be good evidence in any court of law and elsewhere ;

Omissions or errors how remedied.

5. Any omission, misstatement or erroneous description of such lands, or of the owners or occupiers thereof, in any map or plan or book of reference, may, after giving ten day's notice to the owners of such lands, be corrected by two justices on application made to them for that purpose, and if it appears to them that such omission, misstatement or erroneous description arose from mistake, the justices shall certify the same accordingly ;

Certificate relating thereto.

6. The certificate shall state the particulars of any such omission, and the manner thereof, and shall be deposited with the clerks of the peace of the districts respectively in which such lands are situate, and be kept by them along with the other documents to which they relate ; and thereupon such map or plan or book of reference shall be deemed to be correct according to such certificate ; and the company may make the railway in accordance with the certificate ;

7. If any alterations from the original plan or survey are intended to be made in the line or course of the railway, a plan and section of such alterations as have been approved of by parliament, on the same scale and containing the same particulars as the original plan and survey, shall be deposited in the same manner as the original plan, and copies or extracts of such plan and section so far as they relate to the several districts, in or through which such alterations have been authorized to be made shall be deposited with the clerks of the peace of such districts ;

8. Until such original map or plan or book of reference, or the plan and section of the alterations, have been so deposited, the execution of the railway, or of the part thereof affected by the alterations, as the case may be, shall not be proceeded with ;

9. The clerks of the peace shall receive and retain the copies of the original plans and surveys, and copies of the plans and sections of alterations, and copies and extracts thereof respectively, and shall permit all persons interested to inspect any of the documents aforesaid, and to make copies and extracts of and from the same, under a penalty for each default of four dollars ;

10. The copies of the maps, plans and books of reference, or of any alteration or correction thereof, or extracts therefrom, certified by the clerk of the peace, shall be received in all courts of justice or elsewhere as good evidence of the contents thereof, and the clerk of the peace shall give such certificate to all parties interested when required ;

11. No deviation of more than one mile from the line of the railway or from the places assigned thereto in the said map or plan and book of reference, or plans or sections, shall be made into, through, across, under or over any part of the lands not shewn in such map or plan and book of reference, or plans or sections, or within one mile of the said line and place, save in such instances as are provided for in the special act ;

12. The railway may be carried across or upon the lands of any person on the line, or within the distance from such line as aforesaid, although the name of such person has not been entered in the book of reference through error or any other cause, or though some other person is erroneously mentioned as the owner of or entitled to convey, or as interested in such lands ;

13. A map and profile of the completed railway and of the land taken or obtained for the use thereof, shall, within six months after completion of the undertaking, be made and filed in the department of public works, and like maps of the parts thereof, located in different districts and counties, shall be filed in the registry offices for the districts and

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Alterations from original survey.

Railway not to be proceeded with until map, &c., deposited.

Clerks of the peace to retain copies of original plan, &c.

Copies or extracts.

Copies certified by clerk to be good evidence in courts.

Line not to deviate more than a mile from plan.

As to errors in the name of a person entered in a book of reference.

Map, &c., of railway to be filed in the board of works' office.

counties in which such parts are respectively situate ; and any company failing or neglecting to furnish such map within the said period, shall incur a penalty of two hundred dollars, and a like penalty for each and every month such failure or neglect shall continue, recoverable in Her Majesty's name in any court of competent jurisdiction ;

On what scale and paper to be drawn.

14. Every such map shall be drawn on such a scale, and on such paper, as may from time to time be designated for that purpose, by the commissioner of agriculture and public works, and shall be certified and signed by the president or engineer of the corporation.

#### LANDS AND THEIR VALUATION.

Extent of lands to be taken without consent of proprietor.

9. The lands which may be taken without the consent of the proprietor thereof, shall not exceed thirty-three yards in breadth, except in places where the railway is raised more than five feet higher, or cut more than five feet deeper than the surface of the line, or where offsets are established, or where stations, depots or fixtures are intended to be erected, or goods to be delivered, and then not more than two hundred and fifty yards in length by one hundred and fifty yards in breadth, without the consent of the person authorized to convey such lands ; and the place at which such extra breadth is to be taken shall be shown on the map or plan, or plans or sections, so far as the same may be then ascertained, but their not being so shewn shall not prevent such extra breadth from being taken, provided it be taken upon the line shewn or within the distance aforesaid from such line ;

Extra breadth for depots.

Extent of public beach to be taken.

2. The extent of the public beach, or of the land covered with the waters of any river or lake in the province, taken for the railway, shall not exceed the quantity limited in the next preceding sub-section ;

Corporations, &c., may convey lands to company.

Limitation of powers in certain cases.

3. All corporations and persons whatever, tenants in tail or for life, institutes, guardians, curators, executors, administrators, and all other trustees whatsoever, not only for and on behalf of themselves, their heirs and successors, but also for and on behalf of those whom they represent, whether infants, issue unborn, lunatics, idiots, *femes covert*, or other persons, seized, possessed of, or interested in any lands, may contract, sell or convey unto the company all or any part thereof ;

4. But the powers by the next preceding sub-section conferred upon ecclesiastical and other corporations, trustees of land for church and school purposes, or either, executors appointed by wills in which they are not invested with any power over the real estate of the testator, administrators of persons dying intestate, but at their death seized of real

estate, shall only extend and be exercised with respect to any of such lands actually required for the use and occupation of any railway company ;

5. Any contract, agreement, sale, conveyance and assurance so made, under the two preceding sub-sections, shall be valid and effectual in law to all intents and purposes whatsoever, and shall vest in the railway company receiving the same, the fee simple in the lands in such deed described, freed and discharged from all trusts, restrictions and limitations whatsoever ; and the corporation or person so conveying, is hereby indemnified for what it or he respectively does by virtue of or in pursuance of this act ;

6. The company shall not be responsible for the disposition of any purchase money for lands taken by them for their purposes, if paid to the owner of the land, or into court for his benefit, as hereinafter provided ;

7. Any contract or agreement made by any party authorized by this act to convey lands, and made before the deposit of the map or plan and book of reference, and before the setting out and ascertaining of the lands required for the railway, shall be binding at the price agreed upon for the same lands, if they are afterwards so set out and ascertained within one year from the date of the contract or agreement, and although such land may, in the meantime, have become the property of a third party ; and possession of the land may be taken and the agreement and price may be dealt with, as if such price had been fixed by an award of arbitrators as hereinafter provided, and the agreement shall be in the place of an award ;

8. All corporations or persons who cannot in common course of law, sell or alienate any lands so set out and ascertained, shall agree upon a fixed annual rent as an equivalent, and not upon a principal sum, to be paid for the lands ; and if the amount of the rent is not fixed by voluntary agreement or compromise, it shall be fixed and all proceedings shall be regulated in the manner herein prescribed ; and for the payment of the said annual rent, and every other annual rent agreed upon or ascertained, and to be paid for the purchase of any lands or for any part of the purchase money of any lands, which the vendor agrees to leave unpaid, the railway and the tolls thereon shall be liable and chargeable in preference to all other claims and demands thereon whatsoever, the deed creating such charge and liability being duly registered in the registry office of the proper registration division ;

9. Whenever there is more than one party proprietor of any land as joint tenant or tenants in common, or *par indivis*, any contract or agreement made in good faith with any part or parties proprietor or being together proprietors of

Effect of sale under preceding sub-section.

Disposition of purchase money.

Effect of contracts made before deposit of map.

Corporations who cannot sell, may agree upon a fixed rent.

As to proprietors par indivis.

one third or more of such land, as to the amount of compensation for the same or for any damage thereto, shall be binding as between the remaining proprietor or proprietors as joint tenants or tenants in common or *par indivis*; and the proprietor or proprietors who have so agreed, may deliver possession of such land, or empower the entry upon the same, as the case may be;

After one month's notice of deposit of map, &c., application to the owner of lands.

10. After one month from the deposit of the map or plan and book of reference, and from notice thereof in at least one newspaper, if there be any, published in each of the districts and counties through which the railway is intended to pass, application may be made to the owners of lands or to parties empowered to convey lands, or interested in lands which may suffer damage from the taking of materials, of the exercise of any of the powers granted for the railway, and thereupon, agreements and contracts may be made with such parties touching the said lands or the compensation to be paid for the same or for the damages, or as to the mode in which such compensation shall be ascertained, as may seem expedient to both parties and in case of disagreement between them, or any of them, then all questions which arise between them shall be settled as follows, that is to say:

Deposit of plan, &c., to be general notice.

11. The deposit of a map or plan and book of reference, and the notice of such deposit, shall be deemed a general notice to all the parties, of the lands which will be required for the railway and works;

Notice to opposite party: and what it must contain.

12. The notice served upon the party shall contain:

a. A description of the lands to be taken, or of the powers intended to be exercised with regard to any lands, describing them;

b. A declaration of readiness to pay some certain sum or rent, as the case may be, as compensation for such lands or for such damages; and,

c. The name of a person to be appointed, as the arbitrator of the company, if their offer be not accepted; and such notice shall be accompanied by the certificate of a sworn surveyor for the province, disinterested in the matter, and not being the arbitrator named in the notice, stating:

a. That the land, if the notice relate to the taking of land, shewn on the said map or plan, is required for the railway, or is within the limits of deviation hereby allowed;

b. That he knows the land, or amount of the damage likely to arise from the exercise of the powers; and,

c. That the sum so offered is, in his opinion, a fair compensation for the land, and for the damages as aforesaid;

If the opposite party be absent or un-

13. If the opposite party is absent from the district in which the lands lie, or is unknown, then, upon application



to the judge of the Superior Court residing in the district known; appli-  
 accompanied, by such certificate as aforesaid, and by an ication to a  
 affidavit of some officer of the company that the opposite judge.  
 party is so absent, or that, after diligent enquiry, the party  
 on whom the notice ought to be served cannot be ascer-  
 tained, the judge shall order a notice as aforesaid, but with-  
 out a certificate, to be inserted three times in the course of  
 one month in some newspaper published in the district; or  
 if there be no newspaper published therein, then in a news-  
 paper published in some adjacent district;

14. Whenever any such judge is interested in any lands If county  
 taken or required by the company within the district in judge be in-  
 which he resides, any other judge of the Superior Court in terested.  
 the province, shall, on the application of the company,  
 exercise in such case all the powers given by this section to  
 the resident judge in cases in which he is not interested;

15. If within ten days after the service of such notice, or Party not ac-  
 within one month after the first publication thereof, the cepting the  
 opposite party does not notify to the company his accep- company's  
 tance of the sum offered by them, or notify to them the offer, and not  
 name of a person whom he appoints as arbitrator, then the appointing an  
 judge shall, on the application of the company, appoint a arbitrator.  
 sworn surveyor for the province, to be sole arbitrator for  
 determining the compensation to be paid as aforesaid;

16. If the opposite party, within the time aforesaid, noti- Appointment  
 fies to the company the name of his arbitrator, then the or arbitrators  
 two arbitrators shall jointly appoint a third, or if they by opposite  
 cannot agree upon a third, then the commissioner of agri- party; third  
 culture and public works shall, on the application of the arbitrator.  
 party or of the company (previous notice of, at least, two  
 clear days having been given to the other party,) appoint  
 one of the official arbitrators to be a third arbitrator;

17. The arbitrators or two of them, or the sole arbitrator, Duties of ar-  
 being sworn before some justice of the peace for the district bitrators.  
 in which the lands lie, faithfully and impartially to perform  
 the duties of their office, shall proceed to ascertain the said  
 compensation in such way as they or he, or a majority of  
 them, deem best and the award of such arbitrators or any two  
 of them or of the sole arbitrator, shall be final and conclusive; Award of two  
 but no such award shall be made or any official act be done to be sufficient.  
 by such majority except at a meeting held at a time and  
 place of which the other arbitrator has had at least two clear  
 days' notice, or to which some meeting at which the third  
 arbitrator was present, had been adjourned; and no notice  
 to either of the parties shall be necessary, but each party  
 shall be held sufficiently notified through the arbitrator  
 appointed by him, or whose appointment he required;

18. The arbitrators in deciding on such value or compen- Arbitrators to  
 sation, are authorized and required to take into consi- deration  
 deration consider in-



increased value  
of remaining  
lands.

the increased value that would be given to any lands or grounds through or over which the railway will pass, by reason of the passage of the railway through or over the same, or by reason of the construction of the railway, and to set off the increased value that will attach to the said lands or grounds, against the inconvenience, loss or damage that might be suffered or sustained by reason of the company taking possession of or using the said lands or grounds as aforesaid ;

Costs, how  
paid.

19. If in any case where three arbitrators have been appointed, the sum awarded is not greater than that offered, the cost of the arbitration shall be borne by the opposite party, and be deducted from the compensation, but if otherwise, they shall be borne by the company, and in either case they may, if not agreed upon, be taxed by the judge ;

Arbitrators  
may examine  
on oath.

20. The arbitrators, or a majority of them, or the sole arbitrator, may examine on oath or solemn affirmation the parties or such witnesses as voluntarily appear before them or him, and may administer such oath or affirmation ;

Time within  
which award  
may be made.

21. A majority of the arbitrators at the first meeting after their appointment, or the sole arbitrator shall fix a day on or before which the award shall be made, and if the same is not made on or before such day, or some other day to which the time for making it has been prolonged, either by the consent of the parties or by resolution of the arbitrators, then, the sum offered by the company as aforesaid, shall be the compensation to be paid by them ;

Arbitrator  
dying, &c.

22. If the sole arbitrator appointed by the judge or the official arbitrator appointed by the commissioner of agriculture and public works, or any arbitrator appointed by the parties, dies before the award has been made, or is disqualified, or refuses or fails to act within a reasonable time, then, in the case of the sole arbitrator, the judge, upon the application of either party, and in the case of the official arbitrator, the said commissioner of public works, upon a like application, the judge or commissioner being satisfied by affidavit or otherwise of such death, disqualification, refusal, or failure, may appoint another arbitrator in his place, and in the case of any arbitrator appointed by the parties, the company and party respectively may each appoint an arbitrator in the place of his arbitrator so deceased or not acting, but no recommencement or repetition of prior proceedings shall be required in any case ;

Company may  
desist paying  
costs.

23. Any such notice for lands, as aforesaid, may be desisted from, and new notice given, with regard to the same or other lands, to the same or any other party, but in any such case, the liability to the party first notified for all damages or costs by him incurred in consequence of such first notice and desistment, shall subsist ;

24. The surveyor or other person offered or appointed as valuator or as sole arbitrator, shall not be disqualified by reason that he is professionally employed by either party, or that he has previously expressed an opinion as to the amount of compensation, or that he is related or of kin to any member of the company, provided he is not himself personally interested in the amount of the compensation; and no cause of disqualification shall be urged against any arbitrator appointed by the judge after his appointment; but the objection must be made before the appointment and its validity or invalidity shall be summarily determined by the judge;

as Surveyor or arbitrator not disqualified unless personally interested.

When disqualification must be urged.

25. No cause of disqualification shall be urged against any arbitrator appointed by the company or by the opposite party after the appointment of a third arbitrator; and the validity or invalidity of any cause or disqualification urged against any such arbitrator, before the appointment of a third arbitrator, shall be summarily determined by the judge, on the application of either party, after two clear days' notice to the other, and if the cause is determined to be valid, the appointment shall be null, and the party offering the person so adjudged to be disqualified shall be held not to have appointed an arbitrator;

No objection admissible after a third arbitrator has been appointed.

26. No award shall be invalidated from any want of form or other technical objection, if the requirements of this act have been complied with, and if the award state clearly the sum awarded, and the lands or other property, right or thing for which such sum is to be the compensation; nor shall it be necessary that the party or parties to whom the sum is to be paid, be named in the award;

Awards not voided for want of form

27. Upon payment or legal tender of the compensation or annual rent so awarded or agreed upon to the party entitled to receive the same, or upon the deposit of the amount of such compensation in the manner hereinafter mentioned, the award or agreement shall vest in the company the power forthwith to take possession of the lands, or to exercise the right, or to do the thing for which such compensation or annual rent has been awarded or agreed upon; and if any resistance or forcible opposition be made by any person to their so doing, the judge may, on proof to his satisfaction of such award or agreement, issue his warrant to the sheriff of the district, or to a bailiff as he may deem most suitable, to put the company in possession, and to put down such resistance or opposition, which the sheriff or bailiff, taking with him sufficient assistance, shall accordingly do;

Possession may be taken on payment of tender, &c., of sum awarded.

Warrant of possession.

28. Such warrant may also be granted by any such judge, without such award or agreement, on affidavit to his satisfaction that the immediate possession of the lands or of the

When warrant of possession may issue before award.

Security being first given to deposit compensation.

When compensation to stand in the place of the land.

Case in which lands are situate in P. Q. and company have reason to fear incumbrances.

Effect of a judgment of confirmation.

power to do the thing mentioned in the notice, is necessary to carry on some part of the railway with which the company are ready forthwith to proceed; and upon the company giving security to his satisfaction, and in a sum which shall not be less than double the amount mentioned in the notice, to pay or deposit the compensation to be awarded within one month after the making of the award, with interest from the time at which possession is given, and with such costs as may be lawfully payable by the company;

29. The compensation for any lands which might be taken without the consent of the proprietor, shall stand in the stead of such land; and any claim to or incumbrance upon the said land or any portion thereof, shall as against the company be converted into claim to the compensation or to a like proportion thereof and they shall be responsible accordingly whenever they have paid such compensation, or any part thereof, to a party not entitled to receive the same, saving always their recourse against such party;

30. If the company have reason to fear any such claim, mortgage, hypothec or incumbrance, or if any party to whom the compensation or annual rent, or any part thereof, is payable, refuses to execute the proper conveyance and guarantee, or if the party entitled to claim the compensation or rent cannot be found, or is unknown to the company, or if for other reason the company deems it advisable, the company may pay such compensation into the hands of the prothonotary of the Superior Court for the district in which the land is situate, with the interest thereon for six months, and may deliver to the said prothonotary an authentic copy of the conveyance, or of the award, if there be no conveyance, and such award shall thereafter be deemed to be the title of the company to the land therein mentioned, and proceedings shall thereupon be had for the confirmation of the title of the company in like manner as in other cases of confirmation of title except that, in addition to the usual contents of the notice, the prothonotary shall state that the title of the company (that is, the conveyance or award,) is under this act, and shall call upon all persons entitled to the lands, or any part thereof, or representing or being the husband of any party so entitled, to file their claims to the compensation, or any part thereof, and all such claims shall be received and adjudged upon by the court;

31. Such judgment of confirmation shall forever bar all claims to the land, or any part thereof (including dower not yet open) as well as any mortgage, hypothec or incumbrance upon the same; and the court shall make such order for the distribution, payment or investment of the compensation,

and for the security of the rights of all parties interested, as to right and justice, and the special act, and the provisions of this act and to law, shall appertain ;

32. The costs of the proceedings, or any part thereof, shall be paid by the company, or by any other party, as the court may order ; and if judgment of confirmation be obtained in less than six months from the payment of the compensation, to the prothonotary, the court shall direct a proportionate part of the interest to be returned to the company, and if from any error, fault or neglect of the company it is not obtained until after six months have expired, the court shall order the company to pay the prothonotary the interest for such further period as may be right.

#### HIGHWAYS AND BRIDGES.

10. The railway shall not be carried along an existing highway, but merely cross the same in the line of railway, unless leave has been obtained from the proper municipal or local authority therefor ; and no obstruction of such highway with the works shall be made without turning the highway so as to leave an open and good passage for carriages, and, on completion of the works, replacing the highway, under a penalty of not less than forty dollars for any contravention ; but, in either case, the rail itself, provided it does not rise above nor sink below the surface of the road more than one inch, shall not be deemed an obstruction ;

2. No part of the railway which crosses any highway, without being carried over by a bridge, or under by a tunnel, shall rise above or sink below the level of the highway more than one inch ; and the railway may be carried across or above any highway within the limits aforesaid ;

3. The span of the arch of any bridge erected for carrying the railway over or across any highway shall at all times be, and be continued of the open and clear breadth and space, under such arch, of not less than twenty feet, and of a height from the surface of such highway to the centre of such arch of not less than twelve feet ; and the descent under any such bridge shall not exceed one foot in twenty feet ;

4. The ascent of all bridges erected to carry any highway over any railway shall not be more than one foot in twenty feet increase over the natural ascent of the highway ; and a good and sufficient fence shall be made on each side of every bridge, which fence shall not be less than four feet above the surface of the bridge ;

5. Signboards stretching across or projecting over the highway crossed at a level by any railway, shall be erected and kept up at each crossing at such height as to leave six-

By whom costs to be paid.

Interest.

Railway not to be carried along any highway without leave from municipal authorities.

Railway not to rise more than one inch above level of any highway when crossing the same.

Height and span of bridge over highways.

Ascent of bridges.

Precautions when Railway crosses a highway.

teen feet from the highway to the lower edge of the signboard, and having the words "railway crossing" painted on each side of the signboard, in letters not less than six inches in length; and for any neglect to comply with the requirements of this sub-section, a penalty not exceeding forty dollars shall be incurred.

## FENCES.

**11.** Within six months after any lands have been taken for the use of the railway, the company shall, if thereunto required by the proprietors of the adjoining lands, at their own costs and charges, erect and maintain on each side of the railway, fences of the height and strength of an ordinary division fence, with sliding gates, commonly called hurdle gates, with proper fastenings, at farm crossings of the road, for the use of the proprietors of the lands adjoining the railway: and also cattle-guards at all road crossings, suitable and sufficient to prevent cattle and animals from getting on the railway;

**2.** Until such fences and cattle-guards are duly made, the company shall be liable for all damages which may be done by their trains or engines to cattle, horses or other animals on the railway;

**3.** After the fences or guards have been duly made, and while they are duly maintained, no such liability shall accrue for any such damages, unless negligently or wilfully done;

**4.** If any person rides, leads or drives any horse or any other animal or suffers any such horse or other animal to enter upon such railway, and within the fences and guards, other than the farm crossings, without the consent of the company, he shall for every such offence forfeit a sum not exceeding forty dollars; and shall also pay to the party aggrieved all damages sustained thereby;

**5.** No person other than those connected with, or employed by the railway, shall walk along the track thereof, except where the same is laid across or along a highway.

## TOLLS.

**12.** Tolls shall be from time to time fixed and regulated by the by-laws of the company, or by the directors, if thereunto authorized by the by-laws, or by the shareholders at any general meeting, and may be demanded and received for all passengers and goods transported upon the railway or in the steam vessels to the undertaking belonging, and shall be paid to such persons and at such places near to the railway, in such manner and under such regulations as the by-laws direct;

2. In case of denial or neglect of payment on demand of any such tolls, or any part thereof, to such persons, the same may be sued for and recovered in any competent court, or the agents or servants of the company may seize the goods for or in respect whereof such tolls ought to be paid, and detain the same until payment thereof; and in the meantime the said goods shall be at the risk of the owners thereof;

3. If the tolls are not paid within six weeks, the company may sell the whole or any part of such goods, and out of the money arising from such sale retain the tolls payable, and all charges and expenses of such detention and sale; rendering the surplus, if any, or such of the goods as remain unsold, to the person entitled thereto;

4. If any goods remain in the possession of the company unclaimed for the space of twelve months, the company may thereafter, and on giving public notice thereof by advertisement for six weeks in the *Quebec Official Gazette*, and in such other papers as they deem necessary, sell such goods by public auction at a time and place to be mentioned in such advertisement, and out of the proceeds thereof pay such tolls and all reasonable charges for storing, advertising and selling such goods; and the balance of the proceeds, if any, shall be kept by the company for a further period of three months, to be paid over to any party entitled thereto;

5. In default of such balance being claimed before the expiration of the period last aforesaid, the same shall be paid over to the treasurer, to be applied to the general purposes of the province, until claimed by the party entitled thereto;

6. All or any of the tolls may, by any by-law, be reduced and again raised as often as deemed necessary for the interests of the undertaking; but the same tolls shall be payable at the same time and under the same circumstances upon all goods and by all persons, so that no undue advantage, privilege or monopoly may be afforded to any person or class of persons by any by-laws relating to the tolls;

7. In all cases, a fraction in the distance over which goods or passengers are transported on the railway shall be considered as a whole mile; and for a fraction of a ton in the weight of any goods, a proportion of the tolls shall be demanded and taken, according to the number of quarters of a ton contained therein, and a fraction of a quarter of a ton shall be deemed and considered as a whole quarter of a ton;

8. The directors shall, from time to time, print and stick up, or cause to be printed and stuck up, in the office, and in all and every of the places where the tolls are to be collected, in some conspicuous place there, a printed board or paper

How payment of tolls enforced.

When, if tolls not paid, goods detained may be sold.

When remainder of goods detained may be sold.

Proceeds, how dealt with.

How balance to be disposed of.

Tolls—how raised or reduced.

A fraction of a mile or ton how estimated in charging tolls.

Table of tolls to be stuck up in offices and cars.

exhibiting in French and English all the tolls payable, and particularizing the price or sum of money to be charged or taken for the carriage of any matter or thing;

Tolls to be approved of by the lieutenant-governor in council.

9. No tolls shall be levied or taken until approved of by the lieutenant-governor in council, nor until after two weekly publications in the *Quebec Official Gazette* of the by-law establishing such tolls, and of the order in council approving thereof;

The lieutenant-governor may revise by-laws fixing tolls.

10. Every by-law fixing and regulating tolls shall be subject to revision by the lieutenant-governor in council from time to time, after approval thereof; and after an order in council, reducing the tolls fixed and regulated by any by-law has been twice published in the *Quebec Official Gazette*, the tolls, mentioned in such order in council, shall be substituted for those mentioned in the by-law so long as the order in council remains unrevoked;

When Legislature may reduce tolls on railways.

11. The legislature may from time to time reduce the tolls upon the railway, but not without consent of the company, or so as to produce less than fifteen per cent, per annum, profit on the capital actually expended in its construction; nor unless, on an examination made by the commissioner of public works of the amount received and expended by the company, the net income from all sources, for the year then last passed, is found to have exceeded fifteen per cent upon the capital so actually expended;

By-laws imposing tolls, &c., to be approved by the lieutenant-governor in council.

12. No by-law of any railway company by which any tolls are to be imposed or altered, or by which any party other than the members, officers and servants of the company are intended to be bound, shall have any force or effect until the same has been approved and sanctioned by the lieutenant-governor in council.

#### GENERAL MEETINGS.

Shareholders may hold general meetings.

13. The shareholders may assemble together at general meetings for purposes connected with or belonging to the undertaking, and at any annual general meeting, may elect directors in the manner provided by the next succeeding section.

#### PRESIDENT AND DIRECTORS—THEIR ELECTION AND DUTIES.

Board of directors to be elected.

14. A board of directors of the undertaking to manage its affairs, the number whereof shall be stated in the special act, shall be chosen annually by a majority of the shareholders voting at such election at a general meeting, the time and place for which shall be appointed by the special act, and if such election is not held on the day appointed, the directors shall cause such election to be held within as short a delay as possible after the day appointed;



2. No person shall be admitted to vote on such subsequent day except those who would have been entitled to vote had the election been held on the day when it ought to have been held;

3. Vacancies in the board of directors shall be filled in the manner prescribed by the by-laws;

4. No person shall be a director unless he is a stockholder, owning stock absolutely in his own right, and qualified to vote for directors at the election at which he is chosen;

5. The method of calling general meetings, and the time and place of the first meeting of stockholders, for the appointment of directors, shall be determined and settled in the special act;

6. The number of votes to which each shareholder shall be entitled on every occasion when the votes of the members are to be given, shall be in the proportion of the number of shares held by him, unless otherwise provided by the special act;

7. All shareholders, whether resident in the province or elsewhere, may vote by proxy, if they see fit; provided that such proxy produce, from his constituent, an appointment in writing, in the words or to the effect following, that is to say:

I, \_\_\_\_\_, of \_\_\_\_\_, one of the share-holders of the \_\_\_\_\_, do hereby appoint \_\_\_\_\_, of \_\_\_\_\_, to be my proxy, and in my absence to vote or give my assent to any business, matter or thing relating to the said undertaking, that may be mentioned or proposed at any meeting of the shareholders of the said company, or any of them, in such manner as he, the said, thinks proper. In witness whereof, I have hereunto set my hand and seal, the \_\_\_\_\_ day of \_\_\_\_\_, in the year \_\_\_\_\_;

8. The votes by proxy shall be as valid as if the principals had voted in person; and every matter or thing proposed or considered in any public meeting of the shareholders shall be determined by the majority of votes and proxies then present and given, and all decisions and acts of any such majority shall bind the company, and be deemed the decisions and acts of the company;

9. The directors appointed at the last election, or those appointed in their stead in case of vacancy, shall remain in office until the next ensuing election of directors;

10. In case of the death, absence or resignation of any of the directors, others may be appointed in their stead by the surviving directors; but if such appointment be not made, such death, absence or resignation shall not invalidate the acts of the remaining directors;



- President.** 11. The directors shall, at their first or at some other meeting after the election, elect one of their member to be the president of the company, who shall always, when present, be the chairman of and preside at all meetings of the directors, and shall hold his office until he ceases to be a director, or until another president has been elected in his stead : and they may in like manner elect a vice-president, who shall act as chairman in the absence of the president ;
- Term of office.** 12. The directors at any meeting at which not less than a quorum, to be settled by the special act, are present, shall be competent to use and exercise all and any of the powers vested in them ;
- Vice President.**
- Quorum.** 13. The act of a majority of a quorum of the directors present at any meeting regularly held, shall be deemed the act of the directors ;
- Acts of majority to bind the whole.**
- Casting vote.** 14. No director shall have more than one vote except the chairman, who shall, in case of a division of equal numbers, have the casting vote ;
- Directors to be subject to Shareholders and by-laws.** 15. The directors shall be subject to the examination and control of the shareholders at their annual meetings, and be subject to all by-laws of the company, and to the orders and directions from time to time made at the annual or special meetings, such orders and directions not being contrary to any express directions or provisions of this act or the special act ;
- Officers of company cannot be directors or contractors.** 16. No person holding any office, place or employment in or being concerned or interested in any contracts under or with the company, shall be capable of being chosen a director, or of holding the office of director, nor shall any person being a director of the company enter into, or be directly or indirectly, for his own use and benefit, interested in any contract with the company, not relating to the purchase of land necessary for the railway or be or become a partner of any contractor with the company ;
- By-laws for management of stock, &c.** 17. The directors shall make by-laws for the management and disposition of the stock, property, business and affairs of the company, not inconsistent with the law, and for the appointment of all officers, servants and artificers, and prescribing their respective duties ;
- May appoint officers.** 18. The directors shall, from time to time, appoint such officers as they deem requisite, and shall take sufficient security, by one or more penal bonds, or by the guarantee of the European assurance society, or of any society incorporated for like purposes as they may deem expedient or otherwise, from the manager and officers for the time being, for the safe keeping and accounting for by them respectively of the moneys raised by virtue of this act and the special act, and for the faithful execution of their offices, as the directors think proper ;

19. In case of the absence or illness of the president, the vice-president shall have all the rights and powers of the president and may sign all notes, bills, debentures and other instruments, and perform all acts which by the regulations and by-laws of the company, or by the acts incorporating the company, are required to be signed, performed and done by the president ;

Vice president to act in the absence of the president.

20. The directors may at any meeting require the secretary to enter such absence or illness among the proceedings of such meeting, and a certificate thereof signed by the secretary shall be delivered to any person or persons requiring the same on payment to the treasurer of one dollar, and such certificate shall be taken and considered as *prima facie* evidence of such absence or illness, at and during the period in the said certificate mentioned in all proceedings in courts of justice or otherwise ;

Absence of president may be entered in the minutes, and certified, &c.

21. The directors shall cause to be kept, and annually on the thirty-first day of December to be made up and balanced, a true, exact and particular account of the moneys collected and received by the company or by the directors or managers thereof, or otherwise, for the use of the company, and of the charges and expenses attending the erecting, making, supporting, maintaining and carrying on of the undertaking, and of all other receipts and expenditures of the company or the directors.

Directors to cause annual accounts to be rendered.

CALLS.

1. The directors may, from time to time, make such calls of money upon the respective shareholders, in respect of the amount of capital respectively subscribed or owing by them, as they deem necessary, and thirty days notice at the least shall be given of each call, and no call shall exceed the prescribed amount determined in the special act, or be made at a less interval than two months from the previous call, nor shall a greater amount be called in, in any one year, than the amount prescribed in the special act ;

Calls, how made and after what notice.

2. All notices of meetings or of calls upon the shareholders of the company shall be published weekly in the *Quebec Official Gazette*, which shall be conclusive evidence of the sufficiency of such notices ;

Notice of meeting, how published.

3. Every shareholder 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 company or the directors ;

Payment of calls how to be made.

4. If before or on the day appointed for payment, any shareholder does not pay the amount of the call, he shall be liable to pay interest for the same, at the rate of six per

Interest to be chargeable on overdue calls.

centum per annum, from the day appointed for the payment thereof to the time of the actual payment ;

Amount of call may be recovered by suit.

5. If, at the time appointed for the payment of any call, any shareholder fails to pay the amount of the call, he may be sued for the same, in any court of competent jurisdiction, and the same may be recovered with lawful interest from the day on which the call became payable ;

What allegations and formalities necessary in actions for calls.

6. In any action or suit to recover any money due upon any call, it shall not be necessary to set forth the special matter, but it shall be sufficient to declare that the defendant is the holder of one share or more, stating the number of shares, and is indebted in the sum of money to which the calls in arrear 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 company by virtue of the special act ;

Certificate of proprietorship prima facie evidence.

7. The certificate of proprietorship of any share shall be admitted in all courts, as *prima facie* evidence of the title of any shareholder, his executors, administrators, successors or assigns, to the share therein specified ;

Proviso.

8. But the want of such certificate shall not prevent the holder of any share from disposing thereof ;

Penalty for refusal to pay calls.

9. Any person neglecting or refusing to pay a rateable share of the calls as aforesaid, for the space of two months after the time appointed for the payment thereof, shall forfeit his shares in the undertaking, and all the profit and benefit thereof ; which forfeitures shall go to the company for the benefit thereof ;

Forfeiture of share to be taken advantage of only at a general meeting. Effect of forfeiture as to liabilities.

10. No advantage shall be taken of the forfeiture, unless the same is declared to be forfeited at a general meeting of the company, assembled at any time after such forfeiture has been incurred ;

11. Every such forfeiture shall be an indemnification to and for every shareholder so forfeiting, against all actions, suits or prosecutions whatever, commenced or prosecuted for any breach of contract or other agreement between such shareholder and the other shareholders with regard to carrying on the undertaking ;

Directors may sell forfeited shares.

12. The directors may sell, either by public auction or private sale, and in such manner and on such terms as to them may seem meet, any shares so declared to be forfeited, and also any shares remaining unsubscribed for in the capital stock of the company, or pledge such forfeited or unsubscribed shares for the payment of loans or advances made or to be made thereon, or of any sums of money borrowed or advanced by or to the company ;

Certificate of Treasurer to be evidence of forfeiture and

13. A certificate of the treasurer of the company that the forfeiture of the shares was declared, shall be sufficient evidence of the fact, and of their purchase by the purcha-

ser, and such certificate with the receipt of the treasurer of title of purchaser. for the price of such shares, shall constitute a good title to the shares, and the certificate shall be by the said treasurer enregistered in the name and with the place of abode and occupation of the purchaser, and shall be entered in the books required to be kept by the by-laws of the company, and such purchaser shall thereupon be deemed the holder of such shares, and shall not be bound to see to the application of the purchase money, nor shall his title to such shares be affected by any irregularity in the proceedings in reference to such sale, and any shareholder may purchase any shares so sold;

14. Shareholders willing to advance the amount of their shares, or any part of the money due upon their respective shares beyond the sums actually called for, may pay the same, and upon the principal moneys so paid in advance, or so much thereof as from time to time exceeds the amount of the calls thereon made upon the shares, in respect to which such advance is made, the company may pay such interest at the legal rate of interest for the time being, as the shareholders paying such sum in advance and the company agree upon: but such interest shall not be paid out of the capital subscribed.

Interest may be allowed to Shareholders paying money in advance on their shares.

#### DIVIDENDS.

16. At the general meetings of the shareholders of the undertaking from time to time holden, a dividend shall be made out of the clear profits of the undertaking, unless such meetings declare otherwise;

2. Such dividend shall be at and after the rate of so much per share upon the several shares held by the shareholders in the stock of the company, as such meeting may think fit to appoint or determine;

3. No dividend shall be made whereby the capital of the company is in any degree reduced or impaired, or be paid out of such capital, nor shall any dividend be paid in respect of any share, after a day appointed for payment of any call for money in respect thereof, until such call has been paid;

4. The directors may, in their discretion, until the road is completed and opened to the public, pay interest at any rate not exceeding six dollars per hundred dollars per annum, on all sums called up in respect of the shares, from the respective days on which the same have been paid, such interest to accrue and be paid at such times and places as the directors appoint for that purpose;

5. No interest shall accrue to the proprietors of any share upon which any call is in arrear in respect of such shares.

or upon any other share held by the same shareholder while such call remains unpaid.

SHARES AND THEIR TRANSFER.

Shareholders  
may dispose  
of shares.

17. Shares in the undertaking may, by the parties, be sold and disposed of by instrument in writing, to be made in duplicate, one part of which shall be delivered to the directors, to be filed and kept for the use of the company, and an entry thereof shall be made in a book to be kept for that purpose; and no interest on the shares transferred shall be paid by the purchaser until such duplicate is so delivered, filed and entered;

Form of sale

2. Sales shall be in the form following, varying the names and descriptions of the contracting parties as the case may require:

I, A. B., in consideration of the sum of \_\_\_\_\_, paid to me by C. D., hereby do sell and transfer to him \_\_\_\_\_ share (or shares) of the stock of the \_\_\_\_\_ to hold to him the said C. D., his heirs, executors, administrators and assigns, subject to the same rules and orders, and on the same conditions that I held the same immediately before the execution hereof. And I, the said C. D., do hereby agree to accept of the said \_\_\_\_\_ share (or shares) subject to the same rules, orders and conditions. Witness our hands this \_\_\_\_\_ day of \_\_\_\_\_ in the year 18 \_\_\_\_\_;

Stock to be  
personal es-  
tate.—No  
transfer of  
part of a  
share.

3. The stock of the company shall be deemed personal estate, but no shares shall be transferable until all previous calls thereon have been fully paid in, or the said shares have been declared forfeited for the non-payment of calls thereon, and no transfer of less than a whole share shall be valid;

Transmission  
of shares other  
than by trans-  
fer, provided  
for.

4. If any share in the company be transmitted by the death, bankruptcy or last will, donation or testament, or by the intestacy of any shareholder, or by any lawful means other than the transfer hereinbefore mentioned, the party to whom such share is transmitted, shall deposit in the office of the company a statement in writing, signed by him declaring the manner of such transmission, together with a duly certified copy or probate of such will, donation or testament, or sufficient extracts therefrom, and such other documents or proofs as may be necessary, and without such proof the party shall not be entitled to receive any share of the profits of the company, nor vote in respect of any such share as the holder thereof;

Company not  
bound to see  
to the execu-  
tion of trusts.

5. The company shall not be bound to see to the execution of any trust, whether express, implied or constructive, to which any of the shares may be subject and the receipt

of the party in whose name any share stands in the books of the company, or if it stands in the name of more parties than one, the receipt of one of the parties named in the register of shareholders shall from time to time be a sufficient discharge to the company for any dividend or other sum of money payable, in respect of the share, notwithstanding any trust to which the shares may then be subject and whether or not the company have had notice of the trust, and the company shall not be bound to see to the application of the money paid upon such receipts ;

6. The funds of the company shall not be employed in the purchase of any stock in their own or in any other company.

Company not to take stock in their own or any other companies.

SHAREHOLDERS.

18. Each shareholder shall be individually liable to the creditors of the company to an amount equal to the amount unpaid on the stock held by him, for the debts and liabilities thereof, and until the whole amount of his stock has been paid up ; but shall not be liable to an action therefor before an execution against the company has been returned unsatisfied in whole or in part ;

Shareholders individually liable, and to what extent.

2. Municipal corporations subject to the limitations and restrictions by law prescribed, may subscribe for any number of shares in the capital stock of the company; and the mayor, warden, or other head of any such corporation holding stock to the amount of twenty thousand dollars or upwards, shall be *ex-officio* one of the directors of the company in addition to the number of directors authorized by the special act ;

When and how Municipal Corporations may take stock, &c.

3. A true and perfect account of the names and places of abode of the several shareholders shall be entered in a book to be kept for that purpose.

Account of names and residence of Shareholders to be kept.

BY-LAWS, NOTICES, &C.

19. All by-laws, rules and orders regularly made, shall be put into writing and signed by the chairman or person presiding at the meeting at which they are adopted, and shall be kept in the office of the company ; and a printed copy of so much of them as relates to or affects any party other than the members or servants of the company, shall be affixed openly in every place where tolls are to be gathered, and a printed copy of so much of them as relates to the safety and liability of passengers shall be openly affixed in each passenger car, and in like manner so often as any change or alteration is made to the same ; and any copy of the same, or of any of them, certified as correct by the

By-laws to be put into writing, and signed by Chairman.

president or secretary, shall be evidence thereof in any court ;

By-laws to be submitted to lieutenant-governor. Copies of minutes to be *prima facie* evidence. 2. All such by-laws and orders shall be submitted from time to time to the lieutenant-governor for approval ;

3. Copies of the minutes of proceedings and resolutions of the shareholders of the company, at any general or special meeting, and of the minutes of proceedings and resolutions of the directors, at their meetings, extracted from the minute-books kept by the secretary of the company, and by him certified to be true copies, extracted from such minute-books, shall be evidence of such proceedings and resolutions in any court ;

Notices by Secretary valid. 4. All notices given by the secretary of the company, by order of the directors, shall be deemed notices by the directors and company.

#### WORKING OF THE RAILWAY.

Servants to wear badges. 20. Every servant of the undertaking employed in a passenger train or at a station for passengers, shall wear upon his hat or cap, a badge, which shall indicate his office and he shall not without such badge be entitled to demand or receive from any passenger any fare or ticket, or to exercise any of the powers of his office, or to interfere with any passenger or his baggage or property ;

Trains to start at regular hours. 2. The trains shall be started and run at regular hours to be fixed by public notice, and shall furnish sufficient accommodation for the transportation of all such passengers and goods as are within a reasonable time previous thereto offered for transportation at the place of starting, and at the junctions of other railways and at usual stopping places established for receiving and discharging way-passengers and goods from the trains ;

Passengers and goods to be carried on payment of fare of freight. 3. Such passengers and goods shall be taken, transported and discharged, at, from, and to such places, on the due payment of the toll, freight or fare legally authorized therefor ;

The Company liable for neglect or refusal. 4. The party aggrieved by any neglect or refusal in the premises, shall have an action therefor against the company ;

Checks to be fixed on parcels. 5. Checks shall be affixed by an agent or servant to every parcel of baggage having a handle, loop or fixture of any kind thereupon, and a duplicate of such check shall be given to the passenger delivering the same ;

Penalty for refusing to give checks. 6. If such check be refused on demand, the company shall pay to such passenger the sum of eight dollars, to be recovered in a civil action ; and further, no fare or toll shall be collected or received from such passenger, and if he has paid his fare, the same shall be refunded by the conductor in charge of the train ;



7. Any passenger producing such check, may himself be a witness to any suit brought by him against the company to prove the contents and value of his baggage not delivered to him;

Passenger a witness in his own behalf.

8. The baggage, freight, merchandise or lumber cars shall not be placed in rear of the passenger cars;

Baggage cars not to be in rear of passenger cars.

9. Every locomotive engine shall be furnished with a bell of at least thirty pounds weight, and with a steam whistle;

Locomotives to have bells and steam whistles

10. The bell shall be rung, or the whistle sounded at the distance of at least eighty rods from every place where the railway crosses any highway, and be kept ringing or be sounded at short intervals, until the engine has crossed such highway, under a penalty of eight dollars for every neglect thereof, to be paid by the company, who shall also be liable for all damages sustained by any person by reason of such neglect, and one-half of such penalty and damages shall be chargeable to and collected by the company from the engineer having charge of such engine and neglecting to sound the whistle or ring the bell as aforesaid;

To be rung or sounded at every crossing, &c.

11. No person who is intoxicated shall have charge of a locomotive engine, or act as the conductor of a car or train of cars.

Intoxication of conductors.

12. Any passenger refusing to pay his fare, may, by the conductor of the train and the servants of the company, be put out of the cars, with his baggage, at any usual stopping place, or near any dwelling house, as the conductor elects, the conductor first stopping the train and using no unnecessary force;

Passengers refusing to pay fare may be put out.

13. Any passenger injured while on the platform of a car, or on any baggage, wood, or freight car, in violation of the printed regulations posted up at the time in a conspicuous place inside of the passenger cars then in the train, shall have no claim for the injury, provided room inside of such passenger cars, sufficient for the proper accommodation of the passengers, was furnished at the time;

Passengers to have no claim if injured when on platform of cars, &c.

14. No person shall be entitled to carry or to require the company to carry upon their railway, *aqua fortis*, oil of vitriol, gunpowder, nitro-glycerine, or any other goods, which in the judgment of the company, may be of a dangerous nature; and if any person sends by the said railway any such goods without, at the time of so sending the said goods, distinctly marking their nature on the outside of the package containing the same, and otherwise giving notice in writing to the book-keeper or other servant of the company with whom the same are left, he shall forfeit to the company the sum of twenty dollars, for every such offence;

As to goods of a dangerous nature. They must be plainly marked.



Dangerous goods may be refused.

15. The company may refuse to take any package or parcel which they suspect to contain goods of a dangerous nature, or may require the same to be opened to ascertain the fact.

ACTIONS FOR INDEMNITY ; AND FINES AND PENALTIES AND THEIR PROSECUTIONS.

Limitation of action for damages.

21. All suits for indemnity for any damage or injury sustained by reason of the railway shall be instituted within six months next after the time of such supposed damage sustained, or if there be continuation of damage, then within six months next after the doing or committing such damage ceases, and not afterwards ; and the defendants may plead the general issue and give this act and the special act and the special matter in evidence at any trial to be had thereupon, and may prove that the same was done in pursuance of and by authority of this act and the special act ;

Fines, how recovered.

2. All fines and forfeitures imposed by part first of this act or the special act, or by any by-law, except those for the levying and recovering of which special provision is herein made, shall be recovered in a summary manner before any one or more justice or justices of the peace for the district where the act occurred ;

How applicable.

3. All the fines, forfeitures and penalties, recovered under the next preceding paragraph the application whereof is not hereinbefore particularly directed, shall be paid into the hands of the treasurer of the company, to be applied to the use thereof ;

Forfeiture for contravention of this Act, &c.

4. The fact of any contravention of this act or of the special act by the company being a misdemeanor, and punishable accordingly, shall not exempt the company, from the forfeiture by this act and the special act, of the privileges conferred on them by the said acts, if by the provisions thereof or by law, the same be forfeited by such contravention.

Proviso.

Tenders to be advertised for, as to Works not of immediate necessity.

22. No contracts for works of construction or maintenance of the railway, except works of ordinary repair, or of immediate necessity, shall be entered into until after tenders for such works respectively have been invited by public notice therefor, given for at least four weeks in some newspaper published in the place nearest to that at which the work is required to be done, but the company shall not be compelled to accept any such tender ;

Period for subscription of Capital, and Completion of Railway.

2. If the construction of the railway be not commenced, and ten per cent on the amount of the capital be not expended thereon within three years after the passing of the special act, or if the railway is not finished and put in

operation in ten years from the passing of such special act, the corporate existence and powers of the company shall cease;

3. After the opening of the railway or any part thereof to the public, and within the first fifteen days after the opening of each session of the legislature, an account shall be annually submitted to the three branches containing a detailed and particular account, attested upon oath of the president, or in his absence of the vice-president, of the moneys received and expended by the company, and a classified statement of the passengers and goods transported by them, with an attested copy of the last annual statement;

4. No further provisions which the legislature may hereafter make with regard to the form or details of such account, or the mode of attesting or rendering the same, shall be deemed an infringement of the privileges hereby granted to the company;

5. The legislature may at any time annul or dissolve any corporation formed under this act; but such dissolution shall not take away or impair any remedy given against any such corporation, its shareholders, officers or servants, for any liability which had been previously incurred;

6. Nothing herein contained shall affect in any manner the rights of Her Majesty, or of any person, or of any body politic, corporate or collegiate, such only excepted as are herein mentioned.

## PART SECOND.

### THE RAILWAY COMMITTEE.

23. The lieutenant-governor may, from time to time, appoint such members of the executive council, to the number of four at least, as he may see fit, to constitute the railway committee of the executive council, and such committee shall have the powers and perform the duties assigned to them by this act.

24. The railway committee shall appoint one of its members to be chairman, and the assistant commissioner of agriculture and public works or some other fit person appointed by the committee shall be the secretary of the committee.

25. No railway or portion of any railway shall be opened for the public conveyance of passengers until one month after notice in writing of the intention to open the same, after one month's notice.

to Railway Committee of intention to open the same. has been given by the company to whom the railway belongs to the railway committee, and until ten days after notice in writing has been given by the company, to the railway committee, of the time when the railway or portion of railway will be, in the opinion of the company, sufficiently completed for the safe conveyance of passengers, and ready for inspection.

Penalty for contravention. **26.** If any railway or portion of a railway be opened without such notices, the company to whom such railway belongs, shall forfeit to Her Majesty the sum of two hundred dollars for every day during which the same continues open, until the notices have been duly given and have expired.

Railway committee upon report of an engineer and sanction of Lieut. Gov. in Council may postpone the opening of road. **27.** The railway committee upon receiving such notification shall direct one or more of the engineers attached to the department of public works, to examine the railway proposed to be opened, and all bridges, culverts, tunnels, road crossings and other works and appliances connected therewith, and also all engines and other rolling stock intended to be used thereon, and if the inspecting engineer or engineers report in writing to the railway committee that, in his or their opinion, the opening of the same would be attended with danger to the public using the same, by reason of the incompleteness of the works or permanent way, or the insufficiency of the establishment for working such railway, together with the ground of such opinion, the railway committee, with the sanction of the lieutenant governor in council, and so, from time to time, as often as such engineer or engineers, after further inspection thereof so report, may order and direct the company to whom the railway belongs to postpone such opening, not exceeding one month at any one time, until it appears to the committee that such opening may take place without danger to the public.

Penalty for opening contrary to the order of the Committee. **28.** If any railway, or any portion thereof, be opened contrary to such order or direction of the railway committee, the company to whom the railway belongs shall forfeit to Her Majesty, the sum of two hundred dollars for every day during which the same continues open contrary to such order or direction.

When only such order to be binding on the Company. **29.** No such order shall be binding upon any railway company, unless therewith is delivered to the company a copy of the report of the inspecting engineer or engineers, on which the order is founded.

**30.** The railway committee, whenever they receive information to the effect that any bridge, culvert, viaduct, tunnel, or any other portion of any railway, or any engine, car, or carriage, used or for use on any railway, is dangerous to the public using the same, from want of repair, insufficient or erroneous construction or from any other cause, or whenever circumstances may arise which, in their opinion render it expedient, may direct any engineer or engineers as aforesaid to examine and inspect the railway or any portion thereof or of the works connected therewith, or the engines and other rolling stock in use thereon or any portion thereof, and upon the report of the engineer or engineers may condemn the railway or any portion thereof or any of the rolling stock or other appliances used thereon, and with the approval of the lieutenant-governor in council, may require any change or alteration therein or in any part thereof, or the substitution of any new bridge, culvert, viaduct or tunnel, or of any material for the said railway, and thereupon the company to which such railway belongs, or the company using, running or controlling the same, shall, after notice thereof in writing signed by the chairman of the committee and countersigned by the secretary thereof, proceed to make good or remedy the defects in the said portions of the railway, or in the locomotive, car or carriage which have been so condemned, or shall make such change, alteration or substitution hereinbefore referred to as has been required in manner aforesaid by the committee.

Committee may cause any work to be inspected, and may on report of Engineer, condemn the Railway or rolling stock, with sanction of Lieut.-Gov. in Council, and may order certain alterations in the works, &c.

**31.** If, in the opinion of any such engineer, it is dangerous for trains or vehicles to pass over any railway, or any portions thereof, until alterations, substitutions or repairs have been made thereon, or that any particular car, carriage or locomotive should be run or used, the said engineer may forthwith forbid the running of any train or vehicle over such railway or portion of railway, or the running or using of any such car, carriage or locomotive, by delivering, or causing to be delivered to the president, managing director, or secretary or superintendent of the company owning, running or using such railway, or to any officer having the management or control of the running of trains on such railway, a notice in writing to that effect with his reasons therefor, in which he shall distinctly point out the defects or the nature of the danger to be apprehended.

Inspecting Engineer may, in case of danger, forbid the running of trains, &c.

**32.** The inspecting engineer shall forthwith report the same to the railway committee, who, with the sanction of the lieutenant-governor in council, may either confirm, modify or disallow the act or order of the inspecting en-

Most report to the Committee, who may confirm or disallow his order.

gineer, and such confirmation, modification or disallowance shall be duly notified to the railway company affected thereby.

Power of Engineer to examine the works, &c.

**33.** Any engineer or engineers so appointed as aforesaid to inspect any railway or works, may at all reasonable times, upon producing his authority if required, enter upon and examine the said railway and the stations, fences or gates, road crossings, cattle guards, works and buildings, and the engines, cars and carriages belonging thereto.

Company to afford all necessary information to Engineer.

**34.** Every railway company and the officers and directors thereof shall afford to the inspecting engineer or engineers such information as may be within their knowledge and power in all matters inquired into by them, and shall submit to such inspecting engineer or engineers all plans, specifications, drawings and documents relating to the construction, repair or state of repair of such railway or any portion thereof, whether a bridge, culvert or other part;

Engineer to be conveyed by Company.

2. Any such inspecting engineer shall have the right, whilst engaged in the business of such inspection, to travel without charge on any of the ordinary trains running on the railway, and to use the telegraph wires and machinery in the offices of or under the control of any such railway company;

Telegraph operators to obey his orders.

3. The operators or officers employed in the telegraph offices of or under the control of the company, shall, without unnecessary delay, obey all orders of any such inspecting engineer for transmitting messages, and any such operator or officer refusing or neglecting so to do, shall forfeit for every such offence the sum of forty dollars;

Proof of his authority.

4. The authority of any such inspecting engineer shall be sufficiently evidenced by instructions in writing, signed by the chairman of the railway committee and countersigned by the secretary thereof.

Lt.-Gov. may order permanent bridges to be substituted for moveable bridges.

**35.** The lieutenant-governor in council, upon the report of the railway committee, may authorize or require any railway company to construct fixed and permanent bridges or to substitute such bridges in the place of the swing, draw or moveable bridges on the line of such railway, within such time as the lieutenant-governor in council directs; and for every day after the period so fixed during which the company uses such swing, draw or moveable bridges, the company shall forfeit and pay to Her Majesty the sum of two hundred dollars; and it shall not be lawful for any railway company to substitute any swing, draw or moveable bridge in the place or stead of any fixed or

Penalty for neglect.

permanent bridge already built and constructed without the previous consent of the railway committee.

**36.** In any case where a railway is constructed or authorized to be constructed, across any turnpike road, street or other public highway, on the level, the railway committee, if it appears to them necessary for the public safety, may, with the sanction of the lieutenant-governor in council, authorize and require the company to whom such railway belongs within such time as the said committee directs, to carry such road, street or highway either over or under the said railway, by means of a bridge or arch, instead of crossing the same on the level, or to execute such other works as under the circumstances of the case appear to the said committee the best adapted for removing or diminishing the danger arising from such level crossing; and all the provisions of law at any such time applicable to the taking of land by railway companies and its valuation and conveyance to them, and to the compensation therefor, shall apply to the case of any land required for the construction of any works for effecting the alteration of such level crossing.

Certain powers vested in Railway Committee with respect to crossing public highways on a level.

**37.** Whenever any level crossing on any railway shall be out of repair, the chief officer of the municipality, or other local division, having jurisdiction over the railway so crossed, may serve a notice upon the company in the usual manner, requiring the repairs to be forthwith made; and if the company shall not forthwith make the same, such officer may transmit a copy of the notice so served to the secretary of the railway committee; and thereupon it shall be the duty of the committee, with all possible despatch, to appoint a day for an examination into the matter; and, shall, by mail, give notice to such chief officer, and to the company, of the day so fixed; and upon the day so named such crossings shall be examined by an engineer appointed by the railway committee; and any certificate under his hand shall be final on the subject so in dispute between the parties; and if the said engineer determines that any repairs are required, he shall specify the nature thereof in his certificate and direct the company to make the same; and the company shall thereupon, with all possible despatch, comply with the requirements of such certificate; and in case of default the proper authority in the municipality or other local division, within whose jurisdiction the said crossing is situate, may make such repairs, and may recover all costs, expenses and outlays in the premises, by action against the company in any court of competent jurisdiction, as money paid to the com-

Railway Company may be required to repair any level crossing out of repair.

Inspecting Engineer's certificate to be conclusive.

Proviso.

pany's use; provided always that neither this section nor any proceeding had thereunder shall at all affect any liability otherwise attaching to such company in the premises.

When the Committee may regulate speed, &c.

**38.** The railway committee, or the inspecting engineer or engineers, may limit the number of times or rate of speed of running of trains or vehicles, upon any railway or portion of railway, until such alterations or repairs as they or he may think sufficient have been made, or until such times as they or he think prudent; and the company owning, running or using such railway shall comply forthwith with any such order of the railway committee or inspecting engineer, upon notice thereof as aforesaid; and for every act of non-compliance therewith every such railway company shall forfeit to Her Majesty the sum of two thousand dollars.

Penalty for non-compliance.

Notice of accidents to be given to the Committee.

**39.** Every railway company shall, as soon as possible, and at least within forty-eight hours, after the occurrence upon the railway belonging to such company, of any accident attended with serious personal injury to any person using the same, or whereby any bridge, culvert, viaduct or tunnel on or of the railway has been broken or so damaged as to be impassable or unfit for immediate use, give notice thereof to the railway committee; and if any company willfully omits to give such notice, such company shall forfeit to Her Majesty the sum of two hundred dollars for every day during which the omission to give the same continues.

Inspection not to relieve Company from liability.

**40.** No inspection had under this act nor anything in this act contained or done or ordered or omitted to be done or ordered under or by virtue of the provisions of this act, shall relieve or be construed to relieve any railway company, of or from any liability or responsibility resting upon it by law, either towards Her Majesty or towards any person or the wife or husband, parent or child, executor or administrator, tutor or curator, heir or other personal representative of any person for anything done or omitted to be done by such company, or for any wrongful act, neglect or default, misfeasance, malfeasance or nonfeasance of such company, or in any manner or way to lessen such liability or responsibility or in any way to weaken or diminish the liability or responsibility of any such company under the laws in force in this province.

Company to notify orders

**41.** Every railway company, shall, as soon as possible after the receipt of any order or notice of the railway com-



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mittee or inspecting engineer, give cognizance thereof to each of its officers and servants, in one or more of the ways mentioned in the fifty-second section of this act.

42. All orders of the railway committee shall be considered as made known to the railway company by a notice thereof signed by the chairman and countersigned by the secretary of the board, and delivered to the president, vice-president, managing director, secretary or superintendent of the company, or at the office of the company, and orders of the inspecting engineer or engineers shall be made known to the railway company, by a notice thereof, signed by the engineer or engineers, and delivered as above mentioned.

What to be deemed sufficient notice thereof.

43. Every railway company shall, within one month after the first days of January and July, in each and every year, make to the railway committee, under the oath of the president, secretary or superintendent of the company, a true and particular return of all accidents and casualties (whether to life or property) which have occurred on the railway of the company during the half year next preceding each of the said periods respectively, setting forth:

Return of accidents to be made semi-annually, and what to contain.

1. The causes and natures of such accidents and casualties;
2. The point at which they occurred and whether by night or by day;
3. The full extent thereof, and all particulars of the same; and,
4. Shall also at the same time return a true copy of the existing by-laws of the company, and of their rules and regulations for the management of the company and of their railway.

44. The railway committee may order and direct, from time to time, the form in which such returns shall be made up, and may order and direct any railway company to make up and deliver to them, from time to time, in addition to the said periodical returns, returns of serious accidents occurring in the course of the public traffic upon the railway belonging to such company, whether attended with personal injury or not, in such form and manner as the committee deem necessary and require for their information with a view to the public safety.

Form to be appointed by the Railway Committee.

45. If such returns so verified be not delivered within the respective times herein prescribed or within fourteen days after the same have been so required by the committee, every company making default, shall forfeit to

Penalty for neglect.



Her Majesty the sum of one hundred dollars, for every day during which the company neglects to deliver the same.

Such returns to be privileged communications. **46.** All such returns shall be privileged communications, and shall not be evidence in any court whatsoever.

Railway Committee to have with respect to certain Railways, the powers of the former Railway Commissioners. **47.** With respect to all railways coming within the jurisdiction of the legislature of this province, to which the provisions of the railway act, chapter sixty-six of the consolidated statutes of Canada, apply, the railway committee constituted by this act shall be invested with all the rights and powers vested in the board of railway commissioners under the said act, collectively, or in any single member thereof; and such powers may be exercised by the said committee collectively or by any single member thereof, as the case may be, in the same manner and as effectually as they might have been exercised by the said board of railway commissioners; but any inspection that may be required in respect of any such railway, shall be performed in conformity with the provisions of this act;

And may continue proceedings commenced by R. Commissioners. **2.** All proceedings heretofore commenced by the said board of railway commissioners in respect of any such railway may be taken up and continued; and all orders and regulations of the said board, and all penalties and forfeitures, for their contravention, may be enforced and recovered by the railway committee in the same manner and with the same effect as they might have been by the said board before the passing of this act.

#### TRAFFIC ARRANGEMENTS.

One Company may agree with another respecting traffic. **48.** The directors of any railway company may, at any time, make agreements or arrangements with any other company either in Canada or elsewhere, for the regulation and interchange of traffic passing to and from their railways, and for the working of the traffic over the said railways respectively, or for either of those objects separately, and for the division and apportionment of tolls, rates and charges in respect of such traffic, and generally in relation to the management and working of the railways, or any of them, or any part thereof, and of any railway or railways in connection therewith, for any term not exceeding twenty-one years, and to provide, either by proxy or otherwise, for the appointment of a joint committee or committees for the better carrying into effect any such agreement or arrangement, with such powers and functions as may be considered necessary or expedient, subject to the consent of two thirds of the stockholders voting in person or by proxy;

2. But every railway company shall, according to their respective powers, afford all reasonable facilities to any other railway company, for the receiving and forwarding and delivering of traffic upon and from the several railways belonging to or worked by such companies respectively, and for the return of carriages, trucks and other vehicles; and no company shall give or continue any preference or advantage to, or in favor of any particular company, or any particular description of traffic, in any respect whatsoever, nor shall any company subject any particular company or any particular description of traffic, to any prejudice or disadvantage in any respect whatsoever; and every railway company having or working a railway which forms part of a continuous line of railway, or which intersects any other railway, or which has any terminus, station or wharf of the one near any terminus, station or wharf of the other, shall afford all reasonable facilities for receiving and forwarding by the one railway all the traffic arriving by the other, without any unreasonable delay, and without any preference or advantage, or prejudice or disadvantage, and so that no obstruction may be offered in the using of such railway as a continuous line of communication, and so that all reasonable accommodation may, at all times, by the means aforesaid, be mutually afforded by and to the said railway companies; and any agreement made between any two or more railway companies contrary to the foregoing provisions, shall be unlawful, null and void;

Railway Companies must afford each other every facility for the forwarding of traffic, without preference or favor.

Agreements made in contravention of this Act to be void.

3. If any officer, servant or agent of any railway company, having the superintendence of the traffic at any station or depot thereof, refuses or neglects to receive, convey or deliver at any station or depot of the company for which they may be destined, any passenger, goods or things, brought, conveyed or delivered to him or to such company, for conveyance over or along their railway from that of any other company, intersecting or coming near to such first mentioned railway,—or in any way wilfully contravenes the provisions of the second subsection of this section,—such first mentioned railway company, or such officer, servant or agent, personally, shall, for each neglect or refusal, incur a penalty of not exceeding fifty dollars, over and above the actual damages sustained, which penalty may be recovered with costs, in a summary way, before any justice of the peace, by the railway company or any other party aggrieved by such neglect or refusal, and to and for the use and benefit of the company, or other party so aggrieved;

Penalty on Companies or their officers refusing or neglecting to forward traffic as above required.

How recoverable and how to be applied.

4. For the purposes of the three next preceding subsections, the word "traffic" includes not only passengers

Interpretation of word "Traffic."

and their baggage, goods, animals and things conveyed by railway, but also cars, trucks and vehicles of any description adopted for running over any railway,—the word “railway” includes all stations and depots of the railway Company, &c.—and a railway shall be deemed to come near another when some part of the one is within one mile of some part of the other;

5. Whenever any railway company is permitted by the act of incorporation of such company to amalgamate by arrangement with any other company, the contract for such amalgamation shall, when adopted and passed by such companies, be communicated to the lieutenant-governor in council for approval, and such approval shall be announced by notice under the signature of the provincial secretary in the *Quebec Official Gazette*.

#### RAILWAY CONSTABLES.

49. Any judge of the Court of Queen's Bench or Superior Court, or clerk of the peace, or clerk of the crown, or judge of the sessions of the peace, on the application of the board of directors of any railway company, whose railway passes within the local jurisdiction of such judge, clerk or judge of the sessions of the peace, as may be, or on the application of any clerk or agent of such company thereto authorized by such board, may, in their or his discretion, appoint any persons recommended to them for that purpose by such board of directors, clerk or agent to act as constables on and along such railway; and every person so appointed shall take an oath or make a solemn declaration in the form or to the effect following, that is to say:

Oath of office. “I, A. B., having been appointed a constable to act upon and along (*here name the railway*), under the provisions of (*here insert the title of this act*), do swear that I will well and truly serve Our Sovereign Lady the Queen, in the said office of constable, without favor or affection, malice or ill will, and that I will, to the best of my power, cause the peace to be kept and prevent all offences against the peace and that while I continue to hold the said office, I will, to the best of my skill and knowledge, discharge the duties thereof faithfully, according to law. So help me God.”

2. Such oath or declaration shall be administered by any such judge, clerk, or judge of the sessions of the peace; and every constable so appointed, and having taken such oath or made such declaration, shall have full power to act as a constable for the preservation of the peace, and for the security of persons and property against felonies

and other unlawful acts, on such railway, and on any of the works belonging thereto, and on and about any trains, roads, wharves, quays, landing places, warehouses, lands and premises belonging to such company, whether the same be in the county, city, town, parish, district, or other local jurisdiction within which he was appointed, or in any other place through which such railway passes, or in which the same terminates, or through or to which any railway passes, which may be worked or leased by such railway company and in all places not more than one quarter of a mile distant from such railway or railways; and shall have all such powers, protections and privileges for the apprehending of offenders, as well by night as by day, and for doing all things for the prevention, discovery and prosecution of felonies and other offences, and for keeping the peace, which any constable duly appointed has within his constabewick; and it shall be lawful for any such constable to take such persons as may be punishable by summary conviction for any offence against the provisions of this act, or of any of the acts or by-laws affecting any such railway, before any justice or justices appointed for any county, city, town, parish, district or other local jurisdiction within which any such railway may pass; and every such justice shall have authority to deal with all such cases, as though the offence had been committed and the person taken within the limits of his own local jurisdiction;

Powers of such Constables, and to what localities they shall extend.

Duties and powers of such Constables.

3. Any judge of the court of Queen's Bench or Superior Court, or clerk of the peace, or clerk of the crown, or judge of the sessions of the peace, may dismiss any such constable, who may be acting within their several jurisdictions; and the board of directors of such railway company, or any clerk or agent of such company thereto authorized by such board, may dismiss any such constable who may be acting on such railway; and upon every such dismissal, all powers, protections and privileges belonging to any such person by reason of such appointment shall wholly cease; and no person so dismissed shall be again appointed or act as a constable for such railway, without the consent of the authority by which he was dismissed;

Dismissal of any such Constable.

4. Every such railway company shall cause to be recorded in the office of the clerk of the peace for every district wherein such railway or railways may pass, the name and designation of every constable so appointed at their instance, the date of his appointment, and the authority making it, and also the fact of every dismissal of any such constable, the date thereof and the authority making the same, within one week after the date of such appointment or dismissal, as may be, and every such clerk of the

Record of appointment of such Constable to be kept.

Fees.

perce shall keep such record in a book, to be opened to public inspection, charging such fee or fees as the railway committee may from time to time authorize, and in such form as the committee may from time to time direct ;

Punishment of Constables guilty of neglect of duty.

5. Every such constable who is guilty of any neglect or breach of duty in his office of constable, shall be liable, on summary conviction thereof, within any county, city, town, parish, district, or other local jurisdiction wherein such railway may pass, to a penalty of not more than eighty dollars, the amount of which penalty may be deducted from any salary due to such offender, if such constable be in receipt of a salary from the railway company, or to imprisonment, for not more than two months, in the gaol of such county, city, town, parish, district, or other local jurisdiction.

#### GENERAL PROVISIONS.

Companies to make By-laws for regulation of conductors and other officers, &c.

50. Every railway company shall make such by-laws rules and regulations, to be observed by the conductors, engine drivers and other officers and servants of the company, and by all other companies and persons using the railway of such company, and such regulations with regard to the construction of the carriages and other vehicles, to be used in the trains on the railway of the company, as are requisite for ensuring the perfect carrying into effect of the provisions of this act, and the orders and regulations of the railway committee.

Company may impose penalties for contravention of By-laws.

51. Any railway company may by a by-law impose upon any officer, servant, or person who before the contravention of such by-law has had notice thereof and is employed by the company, a forfeiture to the company of not less than thirty days pay of such officer or servant, for any contravention of such by-law, and may retain any such forfeiture out of the salary or wages of the offender.

How notice of By-laws or Orders may be proved.

52. The notice of the by-law or of any order or notice of the railway committee, or of the inspecting engineer or engineers, may be proved by proving the delivery of a copy thereof to the officer, servant or person, or that he signed a copy thereof, or that a copy thereof was posted in some place where his work or his duties, or some of them, were to be performed.

When such proof, &c., to be a defence for the Company.

53. Such proof, with a proof of the contravention, shall be a full answer and defence for the company in any suit for the recovery of the amount so retained, and such forfeiture shall be over and above any penalty under this act.

51. No such company shall cause any obstruction in Not to impede navigation. or impede the free navigation of any river, stream or canal, Navigation. to or across or along which their railway is carried.

52. If the railway be carried across any navigable river Railways crossing rivers, &c., regulated. or canal, the company shall leave openings between the abutments or piers of their bridge or viaduct over the same, and shall make the same of such clear height above the surface of the water, or shall construct such draw-bridge or swing bridge over the channel of the river, or over the whole width of the canal, and shall be subject to such regulations as to the opening of such swing-bridge or draw bridge as the Lieutenant-Governor-in-Council from time to time makes.

53. It shall not be lawful for any such company to con- Plans to be submitted to Lieut. Gov. in council. struct any wharf, bridge, pier or other work upon or over any navigable river, lake or canal, or upon the beach, or beds or lands covered with the water thereof, until they have first submitted the plan and proposed site of such work to the railway committee, and the same has been approved; and no deviation from such approved site or plan shall be made without the consent of the committee.

54. Nothing contained in the three next preceding Exception where special powers given by the special act. sections of this act, shall be construed to limit or affect any power expressly given to any railway company by its special act of incorporation or any special act amending the same.

55. In all cases where a railway passes any draw When a railway passes over a swing-bridge, &c., train to stop for three minutes. or swing-bridge over any navigable river, canal or stream which is subject to be opened for the purposes of navigation, the trains shall in every case be stopped at least three minutes, to ascertain from the bridge tender that the said bridge is closed and in perfect order for passing, and in default of so stopping during the full period of three minutes, the said railway company shall be subject to a fine or penalty of four hundred dollars.

56. Every railway company which runs trains upon the railway, for the conveyance of passengers, shall provide Company to use the best apparatus for communication between the conductors and engine-drivers and for stopping or disconnecting cars, fixing seats in cars, &c. and cause to be used in and upon such trains such known apparatus and arrangements as best afford good and sufficient means of immediate communication between the conductors and the engine-drivers of such trains, while the trains are in motion, and good and sufficient means of applying by the power of the steam engine or otherwise at the will of the engine-driver, or other person appointed

to such duty, the brakes to the wheels of the locomotive or tender, or both, or of all, or any of the cars or carriages composing the trains, and of disconnecting the locomotive, tender, and cars or carriages from each other by any such power or means, and also such apparatus and arrangements as best and most securely place and fix the seats or chairs in the cars or carriages, and shall alter such apparatus and arrangements or supply new apparatus and arrangements from time to time as the railway committee may order.

Penalty for not complying with the 59th section.

**60.** Every railway company which fails to comply with any of the provisions contained in the next preceding section of this act, shall forfeit to Her Majesty a sum not exceeding two hundred dollars for every day during which such default continues.

Further precautions at level crossings.

**61.** Every railway company shall station an officer at every point on their line crossed on a level by any other railway, and no train shall proceed over such crossing until signal has been made to the conductor thereof that the way is clear.

Further precautions when one railway crosses another on a level.

**62.** Every locomotive or railway engine or train of cars on any railway, shall, before it crosses the track of any other railway on a level, be stopped for at least the space of one minute.

Or runs through a city, town, &c.

**63.** No locomotive or railway engine shall pass in or through any thickly peopled portion of any city, town or village at a speed greater than six miles per hour, unless the track is properly fenced.

Or moves reversely.

**64.** Whenever any train of cars is moving reversely in any city, town or village, the locomotive being in the rear, the company shall station on the last car in the train a person who shall warn parties, standing on or crossing the track of such railway, of the approach of such train; and for any contravention of the provisions of this and the three next preceding sections the company shall incur a penalty of one hundred dollars.

Foot passengers to use foot bridge, if provided for that purpose at level crossings.

**65.** If the railway company orders any railway company to erect at or near or in lieu of any level crossing of a turnpike road, or other public highway, a foot-bridge or foot-bridges over their railway for the purpose of enabling persons passing on foot along such turnpike road or public highway to cross the railway by means of such bridge or bridges, then from and after the completion of such foot-



bridge or foot-bridges so required to be erected, and, while the company keeps the same in good and sufficient repair, such level crossing shall not be used by foot-passengers on the said turnpike road or public highway, except during the time when the same is used for the passage of carriages, carts, horses or cattle along the said road.

67. No horses, sheep, swine or other cattle, shall be permitted to be at large upon any highway within a half mile of the intersection of such highway within any railway on grade, unless such cattle are in charge of some person or persons to prevent their loitering or stopping on such highway at such intersection. No cattle to be allowed to be at large on any highway within half a mile of any railway.

68. All cattle found at large in contravention of the last preceding section may, by any person finding the same at large, be impounded in the nearest pound to the place where the same are so found, and the pound-keeper with whom the same are so impounded shall detain the same in the like manner, and subject to the like regulations as to the care and disposal thereof, as in the case of cattle impounded for trespass on private property. Such cattle may be impounded.

69. No person, any of whose cattle being at large, contrary to the provisions of section sixty-six, are killed by any train at such point of intersection, shall have any action against any railway company in respect to the same being so killed. If killed, owner not entitled to any action.

70. At every road and farm crossing on the grade of the railway, the crossing shall be sufficiently fenced on both sides so as to allow the safe passage of the trains. Crossings to be fenced.

70. Every railway company, shall cause all thistles and other noxious weeds growing on the cleared land or ground adjoining the railway and belonging to such company to be cut down and kept constantly cut down or to be rooted out of the same. Ground belonging to the Company to be cleared of weeds, &c.

71. If any railway company fails to comply with the requirements of the last preceding section within twenty days after they have been required to comply with the same, by notice from the mayor, or chief officer of the municipality in which the land or ground lies, or from any justice of the peace therein, such company shall thereby incur a penalty of two dollars to the use of the municipality, for each day during which they neglect to do anything which they are lawfully required to do by such notice, and the said mayor, chief officer or justice of the peace Consequences of omitting to do so.



may cause all things to be done which the said company were lawfully required to do by such notice, and for that purpose may enter by himself and his assistants or workmen upon such lands or grounds, and may recover the expenses and charges incurred in so doing, and the said penalty with costs of suit, in any court having jurisdiction in civil cases to the amount sought to be recovered.

Interest of purchase money or rent of real property to be deemed working expenses.

72. The interest of the purchase money or rent of any real property acquired, or leased by any railway company, and necessary to the efficient working of such railway, and the price and purchase money of any real property or thing, without which the railway could not be efficiently worked, shall be considered to be part of the expenses of working such railway, and shall be paid as such out of the earnings of the railway.

PENAL CLAUSES.

Penalty on persons obstructing free use of railway.

73. Every person who, by any means or in any manner or way whatsoever, obstructs or interrupts the free use of the railway, or the carriages, vessels, engines or other works incidental or relative thereto, or connected therewith, shall on conviction thereof, be punished by imprisonment in the common gaol of the district where the conviction takes place, for any term less than two years;

Penalty on persons damaging railway.

All persons wilfully breaking, throwing down, damaging or destroying the railway, or any part thereof or any of the buildings, stations, depots, wharves, vessels, fixtures, machinery or other works or devices incidental or relative thereto, or connected therewith, or doing any other wilful hurt or mischief, or wilfully obstructing or interrupting the free use of the railway, vessels or works, or obstructing, hindering or preventing the carrying on, completing, supporting and maintaining the railway, vessels or works, shall, unless the offence committed amounts, under some other act or law, to a felony, be liable on conviction, to be punished in the same manner as is prescribed by the preceding subsection;

If the offence be a felony.

Punishment of persons doing anything to Railway with intent to injure persons or property.

5. If any person wilfully displaces or removes any railway switch or rail of any railway, or breaks down, rips up, injures or destroys any railway track or railway bridge or fence of any railway or any portion thereof, or places any obstruction whatsoever on any such rail or railway track or bridge, such person shall be punished by imprisonment in the common gaol of the territorial division in which such offence is committed or tried, for any period not exceeding one year from conviction thereof.

74. If any person wilfully does or causes to be done, any act whatever whereby any building, fence, construction or work of any railway, or any engine, machine or structure of any railway, or any matter or thing appertaining to the same is stopped, obstructed, impaired, weakened, injured or destroyed, the person shall be punished by imprisonment not exceeding one year, in the common gaol of the territorial division in which the offence was committed or has been tried.

Punishment of persons committing any injuries, strikes, &c. Pages, &c.

75. Every person who bores, pierces, cuts, opens, or otherwise injures any cask, box or package, containing wine, spirits or other liquors or any case, box, sack, wrapper, package or roll of goods, in, on or about any car, wagon, boat, vessel, warehouse, station-house, wharf, quay or premises of or belonging to any such railway company, with intent unlawfully to obtain or to injure the contents, or any part thereof, or who unlawfully drinks, or wilfully spills or allows to run to waste, any such liquors, or any part thereof, shall be liable, on summary conviction before one or more justices of the peace, to a penalty of not more than twenty dollars, over and above the value of the goods or liquors so taken or destroyed, or to imprisonment, for not more than twenty dollars, over and above the value of the goods or liquors so taken or destroyed, or to imprisonment, for not more than one month.

Punishment of persons boring or cutting cases or packages on railway.

76. Every person wilfully obstructing any inspecting engineer in the execution of his duty shall, on conviction before a justice of the peace having jurisdiction in the place where the offence has been committed, forfeit and pay for every such offence any sum not exceeding forty dollars, and in default of payment of any penalty so adjudged, immediately, or within such time as the said justice of the place appoints, the same justice, or any other justice having jurisdiction in the place where the offender resides, may commit the offender to prison for any period not exceeding three months; but such commitment shall be determined on payment of the amount of the penalty; and every such penalty shall be returned to the next ensuing court of general or of quarter sessions in the usual manner.

Punishment of persons obstructing inspectors in the execution of their duty.

77. If any officer or servant of, or person employed by any railway company, wilfully or negligently contravenes any by-law or regulation of the company lawfully made and in force, or any order or notice of the railway committee, or of the inspecting engineer or engineers, of which a copy has been delivered to him, or has been posted up or opened to his inspection in some place where his work

Punishment of officers &c., contravening by-laws, &c.

or his duties, or any of them, are to be performed, then if such contravention causes injury to any property or to any person or exposes any property or any person, to the risk of injury, or renders such risk greater than it would have been without such contravention, although no actual injury occurs, such person convicted thereof shall, in the discretion of the court before whom the conviction is had, be punished by fine or imprisonment so as no such fine exceeds four hundred dollars, nor nor any such imprisonment the term of five years.

Penalty in certain cases, and how recovered

78. If such contravention does not cause injury to any property or person, nor expose any person or property to the risk of injury, nor make such risk greater than it would have been without such contravention, then the officer, servant or other person guilty thereof, shall thereby incur a penalty not exceeding the amount of thirty days pay, nor less than fifteen days pay of the offender from the company, in the discretion of the justice of the peace before whom the conviction is had; and such penalty shall be recoverable with costs before any one justice of the peace having jurisdiction where the offence has been committed, or where the offender is found, on the oath of one credible witness other than the informer.

Application of penalty.

79. One moiety of such penalty shall belong to Her Majesty for the public uses of this province, and the other moiety to the informer, unless he be an officer or servant of, or person in the employ of the company, in which case he shall be a competent witness and the whole penalty shall belong to Her Majesty for the uses aforesaid.

The Company may pay penalty and deduct from wages.

80. The company may in all cases under the three next preceding sections, pay the amount of the penalty and costs and recover the same from the offender or deduct it from his salary or pay.

#### APPLICATION OF PENALTIES.

How penalties recovered and applied.

81. All penalties recovered under this act, in respect to the application of which no other provision is made, shall be paid to the treasurer of this province to the credit of "the railway inspection fund."

#### CERTAIN SECTIONS LIMITED.

What the words "Railway Company" shall include.

82. In the construction of the provisions of this act, from and including section twenty-three, the expression "railway company" or "company" shall include any

person being the owner or lessee of or a contractor working any railway constructed or carried on under the powers of an act of parliament.

**83.** The word "railway", in this act, shall mean and include any iron railway, any wooden railway, or any railway of wood and iron combined, of a length exceeding ten miles, on which passengers or freight may be conveyed by steam locomotive power. "Railway."

**84.** In this act and in any other act of the legislature of this province, unless it is otherwise provided, or there is something in the context or provisions thereof indicating a different meaning, or calling for a different construction, the term "wooden railway" shall mean a railway the rails of which are made of wood only. "Wooden Railway."

**85.** The lieutenant governor whenever he shall deem it advisable, may, by order in council, make, in lieu of the provisions of the said part second of this act, such other regulations as he may deem expedient for the inspection, supervision and control of wooden railways, with a view to the prevention of accidents and the protection of persons and property, for the government and discipline of the officers and employees of such railways, for the making and carrying out of traffic arrangements, and, generally, concerning all such matters as are provided for by the said part second, in so far as they are applicable to wooden railways. Lieut.-Gov. may substitute regulations for part second.

**86.** The said order in council and regulations shall come into force on such day as shall be fixed by proclamation of the lieutenant governor and thereupon, from that day, the said part second of this act shall cease to apply to wooden railways. When regulations shall come into force.

## CAP. LII.

An Act for the encouragement of certain Colonization Railways.

[Assented to 5th April, 1869.]

**H**ER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

**1.** Provincial aid, to the amount, in the manner, and subject to the conditions and limitations hereinafter set Provincial aid to certain railways.

forth, is hereby assured to the construction in wood, maintenance and working, of the following projected lines of colonization railway, communication, namely :

The Quebec and Gosford Railway,  
 The Levis and Kennebec Railway,  
 The Montreal Northern Colonization Railway, and  
 The Richelieu, Drummond and Arthabaska Counties Railway.

Conditions,  
 amounts and  
 duration of the  
 subsidy.

2. For such continuous and unbroken length, not less than fifteen miles of each of the said railways, as shall have been constructed in wood, and be in *bonâ fide* operation, to the satisfaction of the lieutenant governor in council, on or before the first day of July, eighteen hundred and seventy-two, there shall be paid from the consolidated revenue fund of the province,—by yearly payments to fall due on the first day of September in every one of the twenty years next following the first of such payments, during which such length of railway shall be continuously maintained in such *bonâ fide* operation, but not otherwise, nor for any longer term,—a subsidy at the rate of three per cent on the *bonâ fide* cost of the construction thereof; such cost however (unless for exceptional bridges) not to exceed the average amount of five thousand dollars per mile.

How bridges  
 shall be  
 reckoned in  
 calculating  
 subsidy.

3. In calculating such subsidy, any bridge over any river or stream exceeding fifty yards in breadth at high water, the reasonable and actual cost of which, at such site and of such plan, materials and construction, as shall have been approved beforehand by the lieutenant-governor in council, shall be shown to the satisfaction of the lieutenant-governor in council to exceed five thousand dollars, shall be deemed an exceptional bridge; and shall be allowed for, not upon the length thereof, but at the exceptional rate of three per cent yearly on the established *bonâ fide* cost thereof, not exceeding however such total as in each case the lieutenant-governor in council shall expressly limit and allow as the reasonable and true value thereof for calculation of such subsidy.

Mode of pay-  
 ment of sub-  
 sidy.

4. The lieutenant-governor in council may from time to time provide as may be deemed expedient, for payment of any such subsidy, or of any part or amount thereof, to any parties claimant from the company primarily entitled thereto; and for assuring such payment, may issue any descriptions of conditional debenture, scrip or certificate, with or without *coupons* attached, payable to order or to bearer, and otherwise in such form, for such amounts, and subject to all such provisions in respect thereof, as shall be deemed to be in the public interest.

1. Whenever one continuous half of any such railway, or not less than twenty-five continuous miles of unbroken length thereof, shall be satisfactorily shown to have been completed and to be in *bonâ fide* operation, the lieutenant-governor in council, on demand to that effect from the company, may declare the half of the subsidy thereof to have become and to be thereafter converted into a subsidy payable, not on the condition above set forth of the continuous maintenance of the railway in *bonâ fide* operation, but on the terms and subject to the conditions following; and whenever the whole or not less than fifty continuous miles of unbroken length thereof shall be satisfactorily shown to have been completed and to be in *bonâ fide* operation, the lieutenant-governor in council, on like demand, may declare the whole of the subsidy thereof to have become and to be thereafter converted in like manner;
2. If any company seeking such conversion of subsidy shall ask to have the main line of their railway, or the fair equivalent thereof, apart from any permitted branches or extensions, regarded (to that end only) as being the whole of such railway, the lieutenant-governor in council may ordain accordingly; and in that case, the claim of such company shall thereupon become and be limited to such main or declared equivalent line only;
3. Such conversion shall not, in any case, affect any portion of such subsidy represented by any still outstanding conditional debenture, scrip or certificates;
4. Within such limits as to amount, the lieutenant-governor in council, for assuring payment of such converted subsidy to parties claimant from the company primarily entitled thereto, may issue any descriptions of debenture, scrip or certificate, with or without *coupons* attached, payable to order or to bearer, and otherwise in such form, for such amounts, and subject to such provisions in respect thereof, as shall be deemed to be in the public interest;
5. Such converted debentures, scrip or certificates may in any case be issued,—as by the lieutenant-governor in council shall be deemed to be most in the public interest,—either for assuring payment of the amount of such converted subsidy yearly, for the number of years required, or for assuring payment of interest, at six per cent yearly, on the value of such converted subsidy, capitalized at the same rate of six per cent, and made payable as regards capital in not less than twenty nor more than thirty years from date of capitalization; and shall be payable to all *bonâ fide* holders claimant from the company, although not to the company if still holding the same, notwithstanding any failure of the company to maintain the railway in

After completion of half or whole of railway, subsidy may be converted as regards conditions.

Main line, for such conversion, may be treated as the whole.

Proviso.

Lieut. gov. in council may issue debentures.

Debentures shall be either for the annual payment of subsidy or for the interest on the total subsidy capitalized.

continuous *bona fide* operation throughout the full term of the subsidy ;

Sinking fund to redeem capitalized subsidy.

6. In case of issue of any such capitalized debentures, scrip or certificates, the treasurer of the province shall cause to be invested yearly, as a sinking fund for redemption thereof, in public securities of the Dominion or of this province, a sum equal to the difference between the amount of the yearly interest on such capitalized debentures, scrip, or certificates, and that of the converted subsidy represented thereby ;

After issue of debentures railway to be subject to inspection, &c.

7. Whenever any converted debentures, scrip or certificates shall have been so issued, the whole of the railway in question and all properties, appurtenances and plant thereof, shall thereafter be subject to all such special inspection by the railway board, or otherwise, as the lieutenant-governor in council from time to time may direct or authorize; and the lieutenant governor in council may at any time order the company, within any reasonable specified delay, to make any repairs or do any other act which from such inspection shall be deemed necessary in order to the keeping of the entire railway and the property, appurtenances and plant thereof, in a thorough state of efficiency, for the due operation thereof;

If company refuses to submit to inspection, etc., railway to be vested in the crown.

8. If at any time the company shall refuse to submit to such special inspection, or shall interpose or allow any obstruction thereto, or shall refuse or fail to do (within the reasonable delay specified) any such act required by the lieutenant-governor in council by reason thereof, or shall fail to maintain the railway in continuous *bona fide* operation throughout the full term of the subsidy, then, immediately upon and by virtue of the first payment thereafter made from the consolidated revenue fund of the province, on account of any such outstanding debentures, scrip or certificates, the entire railway and all properties, appurtenances and plant thereof, and all the franchises of the company, shall *ipso facto* become and be vested in the crown for the public uses of the Province, subject only to such trusts as shall have been or thereafter shall be legislatively declared or recognized in respect thereof; and, as so vested, the same shall thereafter be held, administered and (by sale or otherwise) disposed of, by such public department or officer and in such manner as shall have been or thereafter shall be legislatively designated to that end; and, as the first trust affecting the same, and in preference to every other, all proceeds thereof whatsoever, as realized, shall be carried *pro tanto* to account of the province, to or towards the discharge first of such payment aforesaid, and of all further payments on account of such outstanding debentures, scrip or certificates.

6. The lieutenant-governor in council, upon report of the railway board, may from time to time define by general or special regulations, as occasion may require, what shall or shall not be deemed to be a *bonâ fide* maintenance and working of the several railways in this act mentioned; and the same shall for all purposes of this act be deemed to be in *bonâ fide* operation, so long, and so long only, as in the management and working thereof such regulations shall be in good faith complied with and carried out.

7. In case of the amalgamation of the two projected companies for construction of the railway known as the Sherbrooke, Eastern Townships and Kennebec Railway, and the St. Francis Valley and Kennebec railway, respectively—or of the organization of only one of them,—or of the construction and putting into operation by only one of them, within the year, of not less than fifteen continuous miles of railway,—such amalgamated company, or such one company, as may be, shall also be entitled to provincial aid in terms of the foregoing sections of this act; and otherwise, they shall each be entitled to such aid, but only to the extent of a subsidy limited to the rate of one and a half, instead of three per cent. yearly.

8. In case of the organization before the first day of July, eighteen hundred and seventy, of a company to construct and work a colonization railway of wood between Three Rivers and the Grandes Piles, the same shall be entitled to provincial aid in terms of the first six sections of this act,—but to the extent of a subsidy fixed at the rate of six instead of three per cent yearly, and for such continuous and unbroken length of such railway, not less than fifteen miles, as shall have been constructed and be in *bonâ fide* operation on or before the first day of July, eighteen hundred and seventy-three,—and subject to the further condition that before commencement of work thereon, the line thereof shall have been approved and sanctioned, upon report of the railway board, by the lieutenant-governor in council.

9. The expression “the colonization railway aid act of 1869,” shall be a sufficient citation of this act.



## CAP. LIII.

An Act to incorporate the Quebec and Gosford Railway Company.

[Assented to 5th April, 1869.]

Preamble.

**W**HEREAS, the persons hereinafter named have, by their petition, set forth that they and others have associated themselves together as a company, for the purpose of laying out, constructing and working a railway from the city of Quebec to the township of Gosford, within the limits of the province of Quebec, and have prayed that the said company may be incorporated for the said purpose, and it is expedient to grant the prayer of their petition; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Certain persons incorporated.

**1.** John Lemesurier, Jean-Baptiste R. Dufresne, Henri G. Joly, Jacques P. Rhéaume, Jean D. Brousseau, Pierre Garneau, Louis Bilodeau, Louis Amiot, Frederick W. Blacklock, James H. Oakes, John J. Rickon, Jean Paquet, Charles Boivin, George Paquet, Théophile Simard, Louis Boivin, Joseph Gamache, Edward L. Montizambert, and Arthur Dion, Esquires, together with all such other persons, and all such corporations and municipalities as have or shall, under the provisions of this act, become subscribers to the stock of the said company, are hereby constituted and declared to be a body corporate and politic by and under the name of the Quebec and Gosford Railway Company.

Purposes of the company.

**2.** The said company and their agents and servants, and other persons in their employ, may lay out, construct and work a double or single track wooden or iron tramway or railway, of such width or gauge as the company see fit, from the city of Quebec, following the valley of the river Saint-Charles as far as the Commissioners' Bridge, and thence in a north-westerly direction to some point in the township of Gosford; and the said company may construct the different sections of the said tramway or railway in such order as they see fit, keeping in view the general direction as hereinbefore provided.

Powers of the company.

**3.** The said company may erect and construct such bridges as they may require for the purposes of the said railway over any part of any river as they may deem necessary or advisable, with the right, if they think proper, to adapt such bridges to the passage of horses, vehicles and passengers, subject to the clauses, stipulations and

conditions of "The Quebec Railway Act, 1869," passed during the present session; and in case any such bridge shall be used by the public as a toll-bridge, the rates and tolls shall be fixed by the lieutenant-governor in council.

4. The company may, with the consent of the lieutenant-governor in council, take and appropriate for the use of the said railway, but may not alienate, so much of the wild lands of the crown, not already granted or sold, lying along the route of the same, as also so much of the land covered with the waters of any non-navigable river, lake or stream, or of their respective beds, as may be deemed necessary for the making and completing, and more conveniently using and working the said railway, and thereon may erect such wharves, quays, inclined planes, cranes and other works as to the said company may seem meet.

Power to acquire lands and build works.

5. The capital of the said company shall not exceed the whole (unless increased under the provisions of section eighteen of section seven of the said "Quebec Railway Act, 1869", the sum of one hundred and twenty thousand dollars, divided into twelve thousand shares of ten dollars each, which amount shall be raised by the persons hereinbefore named, and such other persons and such corporations and municipalities as have or may become holders of shares in the said company by subscribing to the stock thereof; and the money so raised shall be applied in the first place to the payment of all fees, expenses and disbursements for procuring the passing of this act, and for making the surveys, plans and estimates connected with the railway; and all the rest and residue of such money shall be applied towards making, completing, maintaining and working the said railway and other the purposes of this act.

Capital of the company.

How it shall be applied.

6. Henry Fry, Eugène Chinic, John LeMesurier, Pierre Garneau, Edouard Lemieux, Jean D. Brousseau, Jean Baptiste R. Dufresne, William Baby and Henri G. Joly, Esquires, shall be and are hereby constituted a board of directors of the said company, and shall hold office as such until other directors are appointed by the shareholders under the provisions of this act, and shall have power and authority to fill up vacancies in their number from among the shareholders, to open stock books and procure subscriptions for the undertaking, to make calls upon the subscribers, to cause surveys and plans to be made and executed, to call a general meeting of shareholders for the election of other directors as hereinafter provided, and generally to

Provisional directors.

Their powers.

do all such other acts as such board under the said Quebec Railway Act, 1869, may do.

Meetings for  
election of  
first directors.

7. When and so soon as one half part of the said capital stock has been subscribed, the said directors, or a majority of them, may call a meeting of shareholders at such time and at such place in the city of Quebec as they think proper, giving at least two weeks' notice in a newspaper or newspapers published therein in the English language, and also in a newspaper or newspapers published therein in the French language, at which said general meeting, and at the annual general meetings in the following sections mentioned, the shareholders present, either in person or by proxy, shall elect not less than seven nor more than nine directors in the manner and qualified as hereinafter provided, which said directors shall constitute a board of directors, and shall hold office until the first Tuesday in February in the year following their election.

Meetings for  
election of  
first directors.  
Meetings for  
election of  
subsequent  
directors.

8. On the first Tuesday in February, and on the first Tuesday in February in each year thereafter, at the principal office of the company in the city of Quebec, there shall be holden a general meeting of the shareholders of the said company, at which meeting the said shareholders shall elect a like number of not less than seven nor more than nine directors for the then ensuing year, in manner and qualified as hereinafter provided; and public notice of such annual general meeting and election shall be given at least two weeks previously in a newspaper or newspapers published in the said city of Quebec in English, and also in a newspaper or newspapers published therein in French; and all elections of directors shall be by ballot, and the persons so elected, together with the *ex-officio* directors under the said Quebec railway act, 1869, if any, shall form the board of directors.

Quorum of  
directors.

9. Three directors, in case the number of the said directors does not exceed seven, and in case it does exceed that number, five directors, shall form a *quorum* for the transaction of business, and the said board of directors may employ one or more of their number as a paid director or paid directors, and no person shall be elected a director unless he shall be the holder and owner of at least twenty shares in the stock of the company and shall have paid up in full all calls on the said stock.

Voting.

10. In all elections of directors under this act, and in the transaction of all business at the general meetings of shareholders, each shareholder shall be entitled to as many votes

as he holds and owns shares, upon which all calls have been paid up in full.

11. Not more than two dollars per share shall be called for to be paid at any one time, nor shall any call be made payable at any less interval than two months from the day on which the last previous call was made payable. Amount and period of each call.

12. The said company and the Quebec Street Railway Company may enter into any agreement for the use by either, or both, of the railway of the other, or any part thereof, or of any station or car or other immoveable or moveable property of either company or of both companies, or for any service to be rendered by one of the said companies to the other, and the price or compensation to be paid therefor; or for the making of any branch or branches, siding or sidings, to facilitate a connection between the railways of the said companies; and any such agreement, executed in due form of law by both companies shall be valid and binding, and may be enforced by courts of law according to the terms and tenor thereof; and if so agreed the rolling stock of the Quebec and Gosford Railway Company, with the exception of locomotives, may run on the track of the Quebec Street Railway Company, and *vice versa*. As to agreements with Quebec Street Railway Co.

13. The mayor or warden of any municipal corporation subscribing for stock in the said company to the amount of ten thousand dollars or upwards, shall be *ex-officio* one of the directors of the company, in addition to the number of directors authorized by this act, and shall have the same rights, powers and duties, as any of the directors of the company. Certain mayors, &c. to be directors.

14. The said company may from time to time purchase, have, hold, take, receive, use and enjoy any immoveable property, not exceeding in the whole fourteen thousand acres, along the line of the said railway, or in the vicinity thereof, but separated therefrom, and if separated therefrom, then with the necessary right of way thereto, which it may please Her Majesty or any person or corporation to give, grant, sell or convey unto and to the use of the said company; and the said company may cut wood and dig earth, gravel and stones on any such land, either for their own use in the construction and keeping in order and working of the railway, or for sale, and may establish stations, sidings, branches, work-shops, wood-yards and gravel pits on any such lands, and may sell firewood or timber cut on such lands, and may from time to time sell and dispose of any such lands not re- Power to purchase and sell, &c. 14000 acres of land.

quired or necessary to be retained for gravel pits, sidings, branches, wood-yards, station grounds or work-shops, or for other purposes of the said company, and may acquire other in lieu thereof.

Power to issue promissory notes, &c.

Without personal responsibility of persons signing.

Proviso.

Power to issue debentures.

Nature of such debenture.

**15.** The said company shall have power and authority to become parties to promissory notes and bills of exchange, for sums not less than one hundred dollars; and any such promissory note made or endorsed, or bill of exchange drawn, accepted or endorsed by the president or vice-president of the board of directors of the company, with the counter-signature of the secretary-treasurer thereof, and under the authority of a majority of a *quorum* of the directors shall be binding on the company; and every such promissory note or bill of exchange so made, drawn, accepted or endorsed shall be presumed to have been made, drawn, accepted or endorsed with proper authority until the contrary be shewn; and in no case shall it be necessary to have the seal of the company affixed to any promissory note or bill of exchange, nor shall the president or vice-president or secretary-treasurer signing or counter-signing any promissory note or bill of exchange or the acceptance or endorsement of any promissory note or bill of exchange in his official capacity as such be personally or individually liable for the same unless such promissory note or bill of exchange have been made, drawn, accepted or endorsed without the sanction and authority of the board of directors as herein provided and enacted; and nothing in this section contained shall be construed as authorizing the company or its board of directors to issue promissory notes or bills of exchange payable to bearer, or intended to be circulated as money or as the notes or bills of a bank.

**16.** The directors of the said company for the time being may make, execute and deliver all such scrip and share certificates, and all such bonds, debentures, obligations or other securities as to the said directors for the time being shall, from time to time, seem most expedient, for raising the necessary capital for the time being, authorized to be raised by the company or for raising any part thereof.

**17.** All bonds, debentures and other securities to be executed by the company may be payable to bearer; and all such bonds, debentures or other securities of the company, and all dividend or interest warrants thereon respectively, which shall purport to be payable to bearer, shall be assignable at law by mere delivery, and may be sued on and enforced by the respective bearers or holders.

and owners thereof, for the time being, in their own names.

18. The directors may not sell any shares in the capital stock of the company, remaining unsubscribed for, at any price below par. No shares to be sold under par.

19. Advantage may be taken of the forfeiture of shares without the same having been declared to be forfeited at a general meeting of the company assembled at any time after such forfeiture occurs, provided the same be declared to be forfeited at a meeting of the board of directors. Forfeiture of shares.

20. Goods of a perishable nature detained by the company for non-payment of freight may be sold forthwith, on the certificate of two competent and disinterested persons establishing the fact of their being perishable. Sale of perishable goods.

21. The provincial government may, at any time after the commencement of the said railway, assume the possession and property thereof, and of all the property which the said company is empowered to hold, and of all the rights and advantages vested in the company, upon giving four months' notice of the intention to assume the said railway. Government may assume the railway.

22. In the event of such assumption the company shall make out and submit to the provincial government a statement and account in writing of all moneys expended by the company, and of all its ascertained liabilities, and the provincial government shall, within four months from the time of receiving such account, pay to the said company the amount of such moneys expended by the company and of such its liabilities, with interest at six per cent and with an addition of ten per cent; and the government shall also from time to time pay all such liabilities as shall be further ascertained and established against the company. Amount to be paid by government to the company.

23. In case the provincial government and the company differ as to any claim by the latter against the former under the two next preceding sections, such difference shall be referred to two arbitrators, one to be named by each, who shall choose an umpire before entering into the consideration of the difference; and in the event of the company refusing to name an arbitrator, or of any two arbitrators not agreeing in the choice of an umpire, an arbitrator or umpire, as the case may require, may be appointed by any judge of the Superior Court; and any award made by arbitrators or an umpire under this section shall be final. Arbitration in case of difference between government and company.

## CAP. LIV.

An act to incorporate the Levis and Kennebec Railway Company.

[Assented to, 24th February, 1869.]

## Preamble.

WHEREAS the Honorable Hector Louis Langevin, C. B., the Honorable Alexandre Chaussegros de Léry, the Honorable Thomas McGreevy, the Honorable Joseph Goderie Blanchet, Christian Henry Pozer, George Honoré Simard, Louis Carrier, George Couture, François Xavier Lemieux, Joseph Hopeley Simons, and Peter Arnold Shaw, Esquires, and others, have petitioned the legislature for an act of incorporation to construct a railroad from the town of Levis, at some place in Notre-Dame ward, in the said town of Levis, to or near the frontier of the State of Maine, in the county of Beauce, passing through the counties of Levis, Dorchester and Beauce, and whereas it is expedient to grant the prayer of the said petition; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

## Certain persons incorporated.

1. The said Hector Louis Langevin, Alexandre Chaussegros de Léry, Thomas McGreevy, Joseph Goderie Blanchet, Christian Henry Pozer, George Honoré Simard, Louis Carrier, George Couture, François-Xavier Lemieux, Joseph Hopeley Simons and Peter Arnold Shaw, together with such other persons or corporations as shall become subscribers and shareholders in the company hereby incorporated, shall be, and are hereby ordained, constituted and declared to be a body corporate and politic, by and under the name and style of the "Levis and Kennebec railway company."

## Powers of the company.

2. The said company and their servants shall have full power and authority to lay out, construct, make and finish a double or single wooden railway at their own cost and charges, of such width or gauge, and from such point in Notre-Dame ward, in the town of Levis, as the directors of said company for the time being may think most advantageous, and as will insure the best grades to a point most convenient on the frontier of the state of Maine in the county of Beauce; with power hereafter to substitute iron rails or wooden, on any part of said road, in the discretion of the directors; and further the said company shall have the power to construct the said wooden railway to the foot of the hill in the town of Levis, from Notre-Dame ward aforesaid, to and into Lauzon ward in the said town of Levis, should the directors deem it expedient so to do.

3. The capital stock of the said company shall not exceed <sup>Capital stock.</sup> in the whole, the sum of five hundred thousand dollars (with power to increase the same as provided by The Quebec Railway Act, 1869, passed during the present session,) to be divided into fifty thousand shares of ten dollars each, which amount shall be raised by the persons hereinbefore named, and such other persons and corporations as may become shareholders in such stock, and the money so raised shall be applied in the first place, towards the payment of all fees, expenses and disbursements for procuring the passing of this act, and for making <sup>Application thereof.</sup> the surveys, plans and estimates connected with the railway, and all the rest and remainder of such money shall be applied towards the making, completing and maintaining the said railway, and other purposes of this act; <sup>Proviso.</sup> provided always, that until the said preliminary expenses shall be paid out of the capital stock, it shall be lawful for the municipality of any county, city, town or township interested in the railway, or otherwise, to pay out of the general funds of such municipality, such preliminary expenses, which sums shall be refunded to such municipality from the stock of the said company, or be allowed to them in payment of stock.

4. The said Hector Louis Langevin, Alexandre Chaussegros de Léry, Thomas McGreevy, Joseph Goderic Blanchet, Christian Henry Pozer, George Honoré Simard, Louis Carrier, George Couture, François-Xavier Lemieux, Joseph Hopeley Simons and Peter Arnold Shaw, shall be and are hereby constituted a board of directors of the said company, and shall hold office as such until other directors shall be elected under the provisions of this act, by the shareholders, and shall have power and authority immediately after the passing of this act, to open stock-books and procure subscriptions for the undertaking, to make calls upon the subscribers, to cause surveys and plans to be made and executed, and as hereinafter provided to call a general meeting of the shareholders for the election of directors. <sup>Provisional directors.</sup>

5. The said directors are hereby empowered to take all necessary steps for opening the stock-books for the subscriptions of parties desirous of becoming shareholders in the said company, and all persons subscribing to the capital stock of the said company shall be considered proprietors and partners in the same but shall be liable only to the extent of their stock therein. <sup>Power of provisional directors.</sup>

6. When and so soon as one-tenth part of said capital stock shall have been subscribed, as aforesaid, it shall and <sup>Meeting to elect first directors.</sup>



may be lawful for the said directors, or a majority of them, to call a meeting of the shareholders at such time and place as they may think proper, giving at least two weeks notice in one newspaper published in the town of Levis, and in one newspaper published in the city of Quebec, at which general meeting, and at the annual general meetings in the following sections mentioned, the shareholders present, either in person or by proxy, shall elect nine directors, in the manner and qualified as hereinafter provided, which said nine directors shall constitute a board of directors, and shall hold office until the first Monday in July, in the year following their election.

Meetings to elect subsequent directors.

7. On the said first Monday in July, and on the first Monday of July in each year thereafter, there shall be holden a general meeting of the shareholders of the said company, at the principal office of said company, at which meeting the shareholders shall elect nine directors for the then ensuing year, in the manner and qualified as hereinafter provided; and public notice of such annual general meeting and election shall be published one month before the day of election in one or more newspapers published in the towns of Quebec and Levis, and the election of directors shall be by ballot; and the persons so elected, together with the *ex-officio* directors under the said Quebec Railway Act, 1869, shall form the board of directors.

Quorum of directors.

8. Five directors shall form a quorum for the transaction of business, and the said board of directors may employ one or more of their number as paid director or directors; provided, however, that no person shall be elected director unless he shall be the holder and owner of at least fifty shares of the stock of the said company, and shall have paid up all calls upon the said stock.

Voting.

9. In the election of directors under this act, and in the transaction of all business at general shareholders' meetings, each shareholder shall be entitled to as many votes as he holds shares upon which the calls have been paid up, and shall be entitled to vote either in person or by proxy.

Calls on shares.

10. The directors may, at any time, call upon the shareholders for such instalments upon each share which they or any of them may hold in the capital stock of the said company, and in such proportion as they may see fit, except that no such instalment shall exceed ten per cent, on the subscribed capital, and that one month's notice of each call shall be given in such manner as the directors shall think fit.

**11.** The directors, or a majority of them, may supply the place or places of any of their number, from time to time, dying or declining to act as such directors, from among the several persons being subscribers for or owning and holding shares in the said company sufficient to qualify him or them to act as directors as aforesaid.

Vacancies  
among direc-  
tors.

**12.** All deeds and conveyances of lands of the said company for the purposes of this act, in so far as circumstances will admit, may be in the form of the schedule A, to this act subjoined, or in any other form to the like effect; and for the purposes of due enregistration of the same, all registrars in their respective counties are required to register in their registry books such deeds and conveyances, upon the production and proof of the due execution thereof, without any memorial, and shall minute the enregistration or entry on such deed; and the registrar shall receive from the said company, for all fees on every such enregistration, and for a certificate of the same, fifty cents and no more, and such enregistration shall be deemed to be valid in law; any statute or provision of law to the contrary notwithstanding.

Form of deeds  
of sale.

Mode of regis-  
tration of such  
deeds.

**13.** The said company shall have power and authority to become parties to promissory notes and bills of exchange for sums not less than one hundred dollars; and any such promissory note made or endorsed, or any such bill of exchange drawn, accepted or endorsed by the president or vice-president of the company, and countersigned by the secretary and treasurer of the said company, and under the authority of a quorum of the directors, shall be binding on the said company; and every such promissory note or bill of exchange so made, shall be presumed to have been made with proper authority, until the contrary be shown, and in no case shall it be necessary to have the seal of the said company affixed to such promissory note or bill of exchange, nor shall the president or vice-president or the secretary and treasurer, be individually responsible for the same, unless the said promissory notes or bills of exchange have been issued without the sanction and authority of the board of directors, as herein provided and enacted.

Power to issue  
promissory  
notes, &c.

Without  
individual  
responsibility  
for persons  
signing.

**14.** The directors of the said company shall have the power, upon being duly authorized thereto by a vote of the majority of the shareholders in the said company present at any annual meeting in the month of July, for the purpose of electing directors, or at any general meeting of the said shareholders, whereof notice shall have

Power to issue  
bonds to raise  
money.

been given in the manner hereinabove provided in the case of a general annual meeting and election, and in which notice shall be stated and published the object of such meeting, to issue their bonds made and signed by the president or vice-president of the said company, and countersigned by the secretary and treasurer, and under the seal of the said company, for the purpose of raising money for prosecuting the undertaking, and such bonds shall be and be considered to be privileged claims upon the property of the said company, and shall bear hypothec upon the said railway without registration; provided, however, that no such bonds bearing such hypothec shall be issued until after ten per cent of the whole capital stock of the said company, as provided by this act, shall have been expended in and upon the said railway; and provided, also, that the whole amount raised by such bonds shall not exceed one half the capital stock of the company nor be in excess of the amount actually paid up on its share capital at the time of the issue of such bonds.

Hypothec.

Proviso.

Agreements  
with other  
companies.

**15.** It shall be lawful for the said company to enter into any agreement with any other railway company, in this province, for leasing the said railway or any part thereof or the use thereof, at any time or times, or for any period to such other company, or for leasing or hiring from such other company any railway or part thereof, or the use thereof, or for the leasing or hiring any locomotives, tenders or moveable property, and generally to make any agreement or agreements with any such other company, touching the use by one or the other or by both companies of the railway or moveable property of either or both or any part thereof, or touching any service to be rendered by the one company to the other, and the compensation therefor; and any such agreement shall be valid and binding, and shall be enforced by courts of law according to the terms and tenor thereof.

Limitation of  
time.

**16.** This act and all the provisions thereof shall become null and void unless the construction of the said railroad be commenced within four years and completed within eight years of the passing of the same.

Quebec rail-  
way act.

**17.** This act shall be subject to the said Quebec railway act, 1869, except in so far as the special provisions of this act may be inconsistent therewith.

## SCHEDULE A.

## FORM OF DEED OF SALE.

Know all men by these presents, that I, A. B., of Form.  
do hereby in consideration of paid  
to me by the Levis and Kennebec Railway Company, the receipt whereof is hereby acknowledged, grant, bargain, sell and convey unto the said Levis and Kennebec railway company, their successors and assigns, all that tract or parcel of land (describe the land), the same having been selected and laid out by the said company for the purpose of their railway; to have and to hold the said land and premises unto the said company, their successors and assigns for ever.

Witness my hand and seal this day of  
one thousand eight hundred and

Signed, sealed and delivered in presence of

A. B. (L.S.)

## CAP. LV.

An Act to incorporate The Montreal Northern Colonization Railway Company.

[Assented to 5th April, 1869.]

**W**HEREAS Robert J. Reekie, Duncan Macdonald, Peter S. Murphy, David Pelletier, Charles J. Coursol, Louis Beaubien, Charles Legge, Godfroi Laviolette, E. Lefebvre de Bellefeuille, have, by their petition, prayed that they, as well as their legal representatives, and such other persons as may, together with them, become shareholders in the said company, be incorporated for the purpose of constructing a railway from the city of Montreal, from or near the place called Mile end, to or in the direction of St. Jerome, in the district of Terrebonne, and further northwards, and as far as the interests of colonization may require, or as it may be deemed useful, and of the working of the said railway when completed; and whereas it is expedient to grant the prayer of the said petition; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. The persons above mentioned, together with such other persons as may become shareholders of any share or shares in the company to be created under this act, shall Certain persons incorporated.

be and are hereby constituted and declared to be a body politic and corporate, by and under the name of "The Montreal Northern Colonization Railway Company," and they shall constitute such corporation, and shall have perpetual succession and a corporate seal, with power to alter and modify the same at their pleasure, and to plead and be impleaded, answer and be answered unto, defend and be defended in all courts of justice, to purchase and hold lands and real estate, and also to sell, alienate, exchange or lease such lands and real estate.

Power to  
construct  
railway over  
certain line.

2. The company is hereby authorized to lay out, and construct, make and finish, run and work a wooden or iron railway, from the place called Mile End, in the parish of Montreal, near the city of Montreal, with the right of continuing the said railway to the city of Montreal, and to the harbor in the municipality of Hochelaga, across the island of Montreal, to or near the village of Sault-au-Récollet; thence across the river des Prairies or southern branch of the Ottawa to a point being either within one hundred feet above or below the bridge belonging to *Messieurs* Vinet and Company or by traversing the island known as "Isle Lachapelle" now being the property of Mr. Bazile Piché, over a bridge to be built as hereinbelow mentioned; thence across the Isle Jesus, as far as the river of Mille Isles, to or near the village of Ste. Rose, or St. Eustache, or any intermediate place; from thence across the river of Mille Isles, or north branch of the Ottawa, over a bridge to be erected as hereinafter stated, to the village of St. Jerome, in the district of Terrebonne, with such curve lines or deviations as may be deemed necessary, for the purpose of continuing the said railway to or near the village of Ste. Therese, or the village of St. Janvier, or through any other such places as the company shall decide upon laying out the said railway. From the village of St. Jerome the said railway may be continued further northwards, either following the course of the North River (*Rivière du Nord*.) so as to have stations at or near the places called St. Sauveur, Ste. Adèle, Ste. Agathe, or through the township of Kilkenny into Rawdon so as to unite with the Lanoraye and Rawdon Railway. And for the working of the said railway, it shall be lawful for the said company to use steam-engines or horse-power on part or whole of the said line, and the said company is also hereby empowered to lay out and construct a double track, on part or the whole of the said railway, if deemed necessary by the directors. And the gauge of the said railway shall be of the breadth to be determined by the said directors of the said company; and the building of the said railway may be commenced at such

Description of  
railway.

point or points of the main trunk, or of the branch lines thereof, as shall be decided upon by the directors of the said company.

2. The said company is also empowered to lay out, construct, make, finish and run branch roads at such point or points from the main line to such places as may be hereafter determined upon through or near St. Eustache, Ste. Scholastique, Lachute, Grenville, and to continue the said railway so as to unite with the Carillon and Grenville railway, under the conditions hereby established for the said main line. And the said railway may be constructed beyond the limits of the district of Terrebonne, towards the city of Ottawa, so as to unite with such other railway as may hereafter be built by "The Canada Central Railway Company," or by any other company duly authorized to construct a railway from the said city of Ottawa towards the city of Montreal. Branch roads.

4. The said company is empowered to take and appropriate for its stations or depots, where such stations or depots may be required for any of the works, by this act authorized, lands to the extent of twenty acres, without the consent of the proprietor or proprietors thereof, but otherwise subject to the provisions of the Quebec Railway Act, 1869, in that behalf. Land for stations.

5. The company shall have the right to build all such bridges as shall or may be deemed necessary for the said railway, or any of its branch roads, over any part of any river; but the company shall not commence the construction of any bridge over any river or stream exceeding fifty yards in breadth, at high water, until the plans thereof, and of all the works connected therewith, shall have been submitted to the lieutenant-governor in council and by him approved. Provided that nothing herein contained shall be construed to authorize the said company to interfere in any way with the navigation of the said rivers; and provided further that public notice shall be given in the *Official Gazette* under the signature of the provincial secretary of the said plans being submitted to the lieutenant-governor in council and that the said plans shall remain deposited in the office of the commissioner of public works for the period of three months before being so approved. Bridges for the Company. Proviso.

6. None of the bridges to be thus constructed by the company, shall be adapted to the passage of horses, animals, vehicles or passengers except in the trains of the said company, but such bridges shall be so constructed as Description such bridges.

not to obstruct the navigation of the rivers over which they shall be built, nor to impede the passage of any rafts that may be brought down the said rivers and the principal arch of the said bridge crossing over the channel, shall not be less than two hundred feet, if the said bridge is not erected at a distance of one hundred feet from the said bridge, and if the bridge to be erected is so erected at a distance of one hundred feet, from the present bridge, the piers to be erected shall correspond with the piers of the bridge now already erected there, with regard to the distance between the piers. Provided always that should it be deemed necessary by the board of trade of the city of Quebec, the company shall be bound and obliged to place sufficient booms on each side of the principal channel to facilitate the passage of rafts under or beneath the main or principal arch, the whole under and in conformity with instructions of the commissioner of public works of this province; and the company after having erected the said bridge in conformity with the plans approved by the lieutenant-governor in council shall not be liable for any damages suffered by rafts or otherwise.

Proviso.

Power to establish a telegraph line.

7. The said company shall also have the right to establish a telegraph line along the whole extent of the said railway, at such places along the said line, and with offices at such places, as shall be determined upon by the directors, and the said telegraph may be used by the public generally, in conformity with the rules and regulations that the company may adopt; the whole subject to the provisions of chapter sixty-six of the consolidated statutes of Canada,

Prosecution and punishment of persons injuring &c., railway or works.

8. If any person or persons shall wilfully or maliciously, or to the prejudice of the said company, break down, damage or destroy any works, machine, or device to be erected or made by virtue of this act, or do any other wilful act, hurt or mischief, to disturb or prevent the carrying into execution, or completing, supporting or maintaining the said railway or works hereinbefore referred to, every such person or persons so offending may be summoned by the president or any of the officers of the said company to be and appear before any one of the justices of the peace for the district in which such offence shall have been committed, and on proof of such offence to the satisfaction of the said justice, such person or persons shall be adjudged and condemned to pay a fine or penalty not exceeding fifty dollars and costs, which shall be levied in due course of law, and in default of paying such fine and costs within fifteen days after judgment, the person or

persons so offending shall be imprisoned in the common goal of the district within which such offence shall have been committed for a period not exceeding three months.

9. All deeds and conveyances for lands to be conveyed to the said company for the purposes of this act, shall and may, as far as the title to the said lands or the circumstances of the party making such conveyance will admit, be made in the form given in the schedule of this act marked A, and need not be executed before a notary. And for the due registration of the same, the said company is hereby required to furnish, at its own expense, to the registrar of each county wherein such deeds and conveyances must be enregistered, a book containing copies of the form given in the said schedule A, one to be printed on each page, leaving the necessary blanks for each case of conveyance, and in such book to enter and register the said deeds upon production thereof, and proof of execution, without any memorial, and to minute such entry on the deed; and the company shall pay the said registrar for so doing the sum of fifty cents and no more; which said enregistration shall be held and deemed to be valid in law,—the provisions of any act for the enregistration of deeds now in force in this province to the contrary notwithstanding.

10. The capital stock of the company shall be half a million of dollars, to be divided into fifty thousand shares of ten dollars each, with the right of increasing the said capital stock to two millions of dollars when deemed advantageous by a majority of the stockholders of the said company. The said capital stock shall be raised by the persons and corporations who may become shareholders in such stock; and the said money so raised shall be applied, in the first place, towards the payment and discharge of all fees, expenses and disbursements for procuring the passing of this act, and for making the surveys, plans and estimates relating to the works hereby authorized, and all the remainder of such money shall be applied towards making, constructing, maintaining and working the said railway and its branch roads, and for no other purpose whatsoever incompatible with this act or the law.

11. All manufacturing companies or other companies carrying on business in whole or in part in the city of Montreal, or at any place within the limits of the counties of Hochelaga, Laval, or the district of Terrebonne, whether incorporated by special or general act, may, by a vote of the shareholders representing at least three-fourths in value



of the shares, but not otherwise, subscribe or otherwise purchase and hold any number of shares in the capital stock of the said company, and may divest themselves thereof by transfer in the form hereinafter provided.

**When municipalities may be required to pay their instalments.** 12. Whenever any municipality interested in the said railway shall take shares in the said company or lend moneys thereto on mortgage under the terms of the Quebec railway act, 1869, such municipality shall not be bound to pay any instalment required by the directors of the company until the works of the said company shall have been commenced within the limits of the said municipality.

**Provisional directors.** 13. The said Robert J. Reekie, Duncan Macdonald, Peter S. Murphy, David Pelletier, Charles J. Coursol, Louis Beaubien, Charles Legge, Godfroi Laviolette, E. Lefebvre de Bellefeuille, are hereby constituted and appointed the first directors of the company, and until others shall be appointed as hereinafter prescribed, they shall constitute the board of directors of the said company, with power to fill any vacancies that may occur therein, to open stock books and make a call on the shares therein subscribed, to call a meeting of subscribers for the election of directors in the manner hereinafter provided and with all such other powers as, by the Quebec railway act, 1869, and the act thirty-first Victoria chapter twenty-four of the statutes of Quebec, are conferred upon such board of directors.

**Meeting for election of directors.** 14. When and so soon as one hundred thousand dollars of the said capital stock shall have been subscribed, the company may enter upon its duties; and it shall be lawful for the said directors, or a majority of them, to call the general meeting of the shareholders at such place and time as they shall think proper, giving at least thirty days' public notice of the same in the *Quebec Official Gazette*, and also a previous notice not less than fifteen days in two newspapers published in the city of Montreal,—one in the French language and the other in the English language,—and at such meeting, such number of the directors as shall be fixed by a by-law of the company shall be elected to act until the annual general meeting, and until their successors shall have been appointed; and at each such meeting any municipal or other corporation holding shares in the said company to the amount of five thousand dollars or more, and not being in arrears for any calls on their shares, may act at such election as any other shareholder, and shall be each represented at such meeting by some one person authorized by them for such purposes.

**How corporations may act at such meetings.**

15. The annual general meetings shall be held on the first Thursday of June each year after the first meeting hereinabove mentioned, or on such a day and at such place as shall be appointed by any by-law, and at such meeting the shareholders there present shall, in manner hereinafter mentioned, elect such number of directors as shall have been prescribed by the by-laws of the company, which number shall not be less than five nor more than nine, and notice of such annual meeting shall be published one month previously in the *Quebec Official Gazette*, or in any other manner that may be prescribed by the by-laws of the company.

Meetings for election of subsequent directors.

16. No person shall be chosen or appointed director unless he hold, in his own name and right, shares in the capital stock of the said company to the amount of two thousand dollars, and have paid up all calls on such shares.

Qualification of directors.

17. Three of the said directors shall form a *quorum* for the transaction of business; and the said directors shall choose among themselves a president and a vice-president, and may employ one of their number as managing director, who may have a salary to be determined by the board of directors.

Quorum of directors.

18. The directors shall have all the powers mentioned in the statute thirty-first Victoria chapter twenty-four, of the province of Quebec.

Powers of directors.

19. Municipal corporations subscribing for stock in the capital stock of the said company shall be represented by the mayor and warden of such corporations for the time being, or by such persons as may be specially appointed by each municipality, according to a by-law for that purpose.

Corporations how represented.

20. Each shareholder shall be entitled to a number of votes equal to the number of shares he shall have had in his own name at least two weeks prior to the time of voting; provided that no party or parties shall be entitled to vote at the meetings of shareholders who shall not have paid up all the calls due upon his or their stock, at least eighteen hours before the hour appointed for such meeting.

Voting.

21. It shall be lawful for the directors of the said company, from time to time, to fix, regulate and receive the tolls and charges to be received for the transmission of

Directors to fix rate of charges.

property or persons on the said railway, subject always to the approval of the lieutenant-governor in council, and to be published in the *Quebec Official Gazette*.

Detention of goods for non-payment of charges.

**22.** In the case of refusal or neglect to pay the toll or freight due to the said company on any goods, the said company shall have the power to detain the same until payment of such toll or freight be made, and in the meantime such goods shall be at the risk of the owner; and if such goods be of a perishable nature, the said company shall have the right to seal the same forthwith on the certificate of two competent persons establishing the fact of their being so perishable; and if such goods be not of a perishable nature, and shall remain unclaimed for a period of twelve months, it shall be lawful for the said company, after giving one month's notice in two newspapers, one in the French language and the other in the English language, published at or nearest the locality where such goods may be, to dispose of the same by public auction, and to hand over to the owner the produce of such sale if he shall claim the same, after the deduction of the said tolls and freight and of the expenses incident to any such sale.

Sale of perishable goods.

Power to issue promissory notes.

**23.** The said company shall have power to become parties to promissory notes and bills of exchange for sums not less than one hundred dollars; and any such promissory note made or endorsed, and any such bill of exchange drawn, accepted or endorsed by the president or the vice-president of the company, and countersigned by the secretary and treasurer, and under the authority of a majority of a *quorum* of the directors, shall be binding upon the said company; and every such promissory note or bill of exchange so made, drawn, accepted or endorsed by the president or vice-president of the said company, and countersigned by the secretary and treasurer as such, after the passing of this act, shall be presumed to have been properly made, drawn, accepted or endorsed, as the case may be, for the company, until the contrary be shown; and in no case shall it be necessary to have the seal of the company affixed to any such promissory note or bill of exchange; nor shall the president, vice-president or secretary and treasurer of the company so making, drawing, accepting or endorsing any such promissory note or bill of exchange be thereby subjected individually to any liability whatever.

Without individual liability of persons signing.

Form of debentures.

**24.** In the borrowing of moneys by way of loan, the debentures of the said company shall and may be in the form contained in the schedule B annexed to this act, or

in any other form similar thereto, and need not be before a notary, and shall have the effect of creating a hypothec and mortgage upon the said railway and the lands and property thereof, and the registration at full length of a debenture (without the interest coupons thereto attached), in the said form in the registry office for the counties in which part of the said railway may lie, which said registration for the purposes of this act and of the loan to be made in virtue thereof, shall be held and deemed to be a special registration of the said railway and of all the lands and property thereof, in each county or locality through which such railway may pass or lie, shall perfect the hypothec and mortgage created by such debenture as regards all parties whatsoever, and the debenture and hypothec and mortgage thereby created shall be to all intents and purposes binding upon the said company in favor of the holder of the debenture, and have the effect of mortgaging and charging all the lands and property of the said company without any other more formal or particular description, but the description in the said schedule B shall be held to comprehend all the lands and tenements of the said company, all wharves and buildings of every nature thereon, and, in short, all the immoveable estate belonging to the said company, including the rails and iron thereto affixed, any law or usage to the contrary notwithstanding.

Hypothec.  
Effect of registration thereof.

27. If after the registration in the registry office of the said county of a debenture of the said company creating a mortgage and hypothec, such debenture shall be presented at the said registry office with the word *cancelled* and the signature of the president, or other duly authorized director of the said company, or of the secretary and treasurer of the said company, written across the face of the said debenture, the registrar or his deputy, on receiving the fee of twenty-five cents in that behalf, and on proof of the cancellation by the oath of one credible witness (which oath the registrar or his deputy is hereby authorized to administer), shall forthwith make an entry in the margin of the register against the registry of such debenture, to the effect that the same has been cancelled, adding to such entry the date thereof and his signature, and thereupon the cancelled debenture shall be filed and remain of record in the said registry office.

Cancelling debentures.

28. And to facilitate the registration of the debentures of the said company creating a hypothec and mortgage and the cancellation thereof,—be it enacted that they, if they deem proper, may, at their own expense, deposit in

Mode of registration.

the said registry office wherein such their debentures are hereby required to be registered, any number of their printed blank debentures in the form of the said schedule annexed to this act, without its being necessary to add the *coupons* thereto, bound together in a book, and having the pages thereof numbered and signed by the secretary of the company, and thereupon the registrar or his deputy shall be bound to receive and retain the same as one of the registry books of his office, and to register therein the said debentures of the company instead of registering them in the ordinary registry books of the office, receiving for the registration of each such debenture a fee of twenty-five cents and no more; any ordinance or law to the contrary notwithstanding.

Intersecting  
or joining with  
other railways

27. It may and shall be lawful for the said company to cross, intersect, join and unite their railway with any other railway, at any point on its route, and upon the lands of such other railway, with the necessary conveniences for the purpose of such connection, and the owners of both railways may unite in forming such intersection and in granting the facilities therefor; and in disagreement upon the amount of compensation to be made therefor, or upon the point or manner of such crossing and connection, the same shall be determined by arbitrators to be appointed by one of the judges of the Superior Court for the Province of Quebec.

Agreements  
with other  
railways for  
mutual use of  
property,  
track &c.

28. It shall be lawful for the said company to enter into any agreement with any other railway company in this province, for leasing the said railway or any part thereof, or the use thereof, at any time or times to such other company, or for leasing or hiring out to such other company any locomotives, cars, carriages, tenders or other moveable property of the said company, either altogether or for any time or times, or occasions, for leasing or hiring from such other company any railroad or part thereof, or the use thereof at any time or times, or for leasing or hiring from such other company any locomotives, cars, carriages, tenders or other moveable property, or for using either the whole or any part of such other railroad, or of the moveable property of such other company of the railroad and moveable property of such other company, in common by the two companies, or generally to make any agreements with any such other company touching the use by one or the other, or by both companies, of the railroad or moveable property of either or of both, or any part thereof, or touching any service to be rendered by the one company to the other, and the compensation therefor; and any such agreement

shall be valid and binding, and shall be enforced by all courts of justice in this province according to the terms and tenor thereof.

**29.** And whereas it may conduce to the interests of the said "The Montreal Northern Colonization Railway Company," hereafter to unite and form a junction and amalgamation with other railway companies in this province; Be it enacted, that it shall be lawful for the said "The Montreal Northern Colonization Railway Company" to form such union, junction and amalgamation at any time hereafter, with any other company which is also hereby authorized to form such amalgamation upon such terms and conditions as may be agreed upon at a general meeting of the stockholders of the said company specially convoked for that purpose by a majority of such stockholders, and thereafter the companies thus united and amalgamated shall form but one and the same company upon the terms, stipulations and conditions agreed upon between the said companies. And for the purpose of effecting such amalgamation, the other companies with which this said company may consent to be amalgamated, are hereby authorized to stipulate and determine the conditions of such amalgamation at a general meeting of their shareholders specially convoked for that purpose by a majority of such stockholders.

Preamble.

Power to amalgamate with other companies.

Same power to said other companies.

**30.** It shall be lawful for the said company, and for the Montreal City Passenger Railway Company, to enter into any agreement or agreements for the use by the one or the other of said companies or of both companies at the same time of the railroad of such other company or of any part thereof, or of any station, cars, or any other moveable or immoveable object of either of such companies or of both such companies, or touching any service to be rendered by the one company to the other, and the price or compensation for such services; or for the construction of one or more branch roads, one or more tram-ways in order to facilitate the junction of the railroads for both companies; and any such agreement, executed in due form of law by the two companies, shall be valid and binding and shall be enforced by all courts of justice according to the terms and tenor thereof; and if any such agreement be entered into between the two companies, the cars and rolling stock, but not the locomotives, of the Montreal Northern Colonization Railway Company may use and pass along the track of the Montreal City Passenger Railway, and *vice versa*. The company may, after being authorized to that effect by the corporation of the city of Montreal, lay a track in any street parallel

Agreements with Montreal city passenger railway for mutual use of tracks, &c.

with St. Lawrence street in the said city as far as Craig street, so as to run its cars as far as Craig street aforesaid.

Power to  
acquire, lease,  
&c., lands for  
certain pur-  
poses and to  
sell the same  
or the produce  
thereof.

31. It shall be lawful for the said company, from time to time, to purchase, lease, detain, hold, receive and use any lands along, or in the vicinity of, or separated from the railway track of the said company, and if separated from the said track, with the right of passage to communicate therewith, that it shall please Her Majesty or any person or corporation to give, grant, sell or make over to the said companies; and it shall be lawful for the said company to cut down timber and to extract out of the ground gravel or stone on the said lands to be used for the building, maintaining or working of the said railway, or to be sold; to establish thereon stations, tramways, branch roads, work-shops, wood-yards and quarries; and to sell the firewood and lumber that may be cut down on such lands, and from time to time to sell or dispose of such portions of the said lands as may not be required by the company for the procuring of gravel or the erection thereon of tramways, branch lines, wood-sheds, stations, work-shops, or for any other need of the said company; and the said company shall have generally the power of buying, transporting and selling firewood.

### SCHEDULE A.

#### FORM OF CONVEYANCE.

Form of con-  
veyance.

Know all men by these presents that I, A. B., of  
(name also the wife, if any,) do hereby, in consideration of  
(here state the sum) paid to me by "The  
Montreal Northern Colonization Railway Company," the  
receipt whereof is hereby acknowledged, grant, bargain,  
sell, convey and confirm unto "The Montreal Northern  
Colonization Railway Company," their successors and  
assigns forever, all that certain tract or parcel of land  
situated, (here describe the lands,) the same having been  
selected and laid out by the said company for the purposes  
of their railway; to have and to hold the said lands and  
premises, together with the appurtenances thereto, to the  
said "the Montreal Northern Colonization Railway Com-  
pany," their successors and assigns forever, (here the release  
of dower, if any.)

Witness my (or our) hand (or hands) seal (or seals) this  
day of  
hundred  
one thousand eight

Signed, sealed and delivered at  
of

A. B. (L. S.),  
in presence.



SCHEDULE B.

FORM OF DEBENTURE.

"The Montreal Northern Colonization Railway Company." Form of debenture.

This debenture witnesseth that "The Montreal Northern Colonization Railway Company," under the authority of the provincial statute passed in the year of Her Majesty's reign, intituled: "An act to incorporate the Montreal Northern Colonization Railway Company," have received from of the sum of as a loan, to bear interest from the date hereof, at the rate of per centum per annum, payable half-yearly on the day of and on the day of which sum of the said company bind and oblige themselves to pay on the day of to the said or to the bearer hereof at Montreal, and to pay the interest thereon half-yearly as aforesaid on the production of the coupon therefor, which now forms part of this debenture.

And for the due payment of the said sum of money and interest, the said company, under the power given to them by the said statute, do hereby mortgage and hypothecate the real estate and appurtenances hereinafter described, that is to say: The whole of the railroad from Montreal to including all the lands at the termini of the said road, and all lands of the company within these limits, and all buildings thereon erected, and all and every the appurtenances thereto belonging.

In testimony whereof, , president of the said company hath hereto set and affixed his signature, and the seal of the said company, at this day of one thousand eight hundred and

Countersigned and entered

President, (L. S.)

I certify that this debenture was duly registered in the registry office for the county of in the district of on the day of one thousand eight hundred and at of the clock in the noon, in register page

Registrar.



## CAP. LVI.

An Act to incorporate the Richelieu, Drummond and Arthabaska Counties Railway Company.

[Assented to 5th April, 1869.]

Preamble.

WHEREAS a charter of incorporation was granted to the Drummond and Arthabaska counties railway company by the Act twenty-third Victoria, chapter one hundred and eleven, which act was subsequently amended by the Act twenty-fourth Victoria, chapter eighty-six.—And whereas the said charter or act of incorporation hath lapsed by reason of non-user within the delay in said acts specified;—And whereas the Honorable Christopher Dunkin, and Valentine Cooke and Jesse D. Robinson, esquires, sole surviving directors of the said company, and others, have petitioned the legislature for an act to revive the said Act of incorporation, as so amended, and still further to amend the same;—And whereas it is expedient to grant a new charter of incorporation; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Certain persons incorporated.

1. The said Honorable Christopher Dunkin, Valentine Cooke, Jesse D. Robinson, together with Edward John Hemming, Joseph Boisvert, of Wickham, John Ralph, Michael Leonard, Pierre Nérée Dorion, William J. Watts, François-Xavier Janelle, Robert James Millar, Louis Guévremont, Bruno Côté, Isaac P. Wilson, Félix Pinard, James Duncan, Louis Adélarde Sénécal, Léon Dessert, David Vannasse Beauvais, Moë Fortier, Jonathan Wurtele, Archibald Wurtele, Jean-Baptiste Commeault, Ovide J. Paradis, Maxime Beaupré, Roch Moïse Samuel Mignault, the Honorable Jean-Baptiste Guévremont, Pierre Latraverse, Louis Mundeville, Thomas McCarthy, George Isidore Barthe, Michel Mathieu, Jean Baptiste Labelle, Joseph Boisvert, of Drummondville, Théophile Brassard and Thomas McGuaig, and such other persons and corporations as shall become shareholders in the company hereby incorporated, shall be and are hereby constituted a body corporate and politic by the name of "The Richelieu, Drummond and Arthabaska Counties Railway Company."

Name of company may be changed.

2. With the approval of the lieutenant-governor in council the name of the said company may be changed hereafter, should the then board of directors think it expedient to change the same; and such approval shall be signified by the publication during the space of one month,

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in the Official Gazette for the Province of Quebec, of the proclamation of the lieutenant-governor so changing the same; and from and after the last publication of such proclamation the said company shall be known only by the name so conferred upon it by the said proclamation; provided however that such change of name shall not be held to constitute a new company or corporation; but the said company under such new name shall be held to be to all intents and purposes one and the same with the said company now incorporated, and all suits then pending in which the said company may be a party may be continued to judgment under such former name, and provided further that the use of the former name in any deed, writ, process, pleading, document, matter or thing shall not invalidate the same notwithstanding that such name may have been changed as aforesaid.

Proviso.

3. The said company and their servants shall have full power and authority to lay out, construct, make and finish a double or single wooden railway of such width or gauge and from any point on the Grand Trunk Railway either in the counties of Drummond, Bagot or St. Hyacinthe to any point on the Three Rivers and Arthabaska branch railway, and may also lay out, construct and finish a double or single wooden railway, as a part of their main line to connect the same with the town of Sorel, in the county of Richelieu; the point of intersection or divergence of such main line to be at or near the village of Drummondville, and shall also have the further power of continuing their main line from the point of junction with the Three Rivers and Arthabaska branch railway so as to form a junction with the Levis and Kennebec railway or with any railway connecting with such last mentioned railway, together with the power to construct any branch or branches of the same not exceeding fifteen miles in length from any station or depot thereof, with power hereafter to substitute iron rails for wooden in any part of said road, in the discretion of the directors, under the conditions hereby established for the main line thereof.

Power to construct a railway, &c., on certain lines.

4. The capital stock of the said company shall be the sum of five hundred thousand dollars (with power to increase the same as provided by the Quebec Railway Act, 1869, passed during the present session,) to be divided into twenty-five thousand shares of twenty dollars each, which amount shall be raised by the persons hereinbefore named, and such other persons and corporations as may become shareholders in such stock, and the money so raised shall be applied in the first place, towards the payment of all

Capital stock.

Application thereof.

Proviso: as to payment of preliminary expenses by municipalities

fees, expenses and disbursements for procuring the passing of this Act, and for making the surveys, plans and estimates connected with the railway, and all the rest and remainder of such money shall be applied towards the making, completing and maintaining the said railway, and other purposes of this Act; provided always that until the said preliminary expenses shall be paid out of the capital stock, it shall be lawful for the municipality of any county, city, town or township interested in the railway, or otherwise, to pay out of the general funds of such municipality, such preliminary expenses, which sums shall be refunded to such municipality from the stock of the said company, or be allowed to them in payment of stock.

Provisional directors.

5. The said persons hereinbefore mentioned are hereby constituted and appointed the first board of directors of the company, and five members thereof to form a quorum for the transaction of business.

Their powers.

6. The said directors are hereby empowered to take all necessary steps for opening the stock-books for the subscriptions of parties desirous of becoming shareholders in the said company, and all persons subscribing to the capital stock of the said company shall be considered proprietors and partners in the same, but shall be liable only to the extent of their stock therein.

Certain companies may take shares.

7. All manufacturing companies or other companies carrying on business in whole or in part at any place within the limits of the counties traversed or to be traversed by the said line of railway, whether incorporated by special or general act, may, by a vote of the shareholders representing at least the three-fourths in value of the shares, but not otherwise, subscribe or otherwise purchase and hold any number of shares in the capital stock of the said company which they shall deem desirable, and may divest themselves thereof by transfer in the form hereafter provided.

Meeting for election of first directors.

8. When and so soon as one tenth part of the said capital stock shall have been subscribed, as aforesaid, it shall and may be lawful for the said directors, or a majority of them, to call a meeting of the shareholders at such time and place as they may think proper, giving at least two weeks' notice in one newspaper published in the town of Sorel, and in one newspaper published in the city of Montreal, at which general meeting, and at the annual general meetings, in the following sections mentioned, the shareholders present, either in person or by proxy, shall elect nine directors, in the manner hereinafter provided, which said nine directors

shall constitute a board of directors, and shall hold office until the first Wednesday in July, in the year following their election,

9. On the said first Wednesday of July, and on the first Wednesday of July in each year thereafter, there shall be holden a general meeting of the shareholders of the said company at the principal office of said company, at which meeting the shareholders shall elect nine directors for the then ensuing year, in the manner hereinafter provided; and public notice of such annual general meeting and election shall be published one month before the day of election, in one or more newspapers published in *Sorel* and *Montreal* aforesaid, and the election of directors shall be by ballot; and the persons so elected, together with the *ex officio* directors, shall form the board of directors; and at every such meeting each municipal or other corporation holding stock to the amount of ten thousand dollars or more and not being in arrear for any call thereon, may either take part in such election as an ordinary shareholder or may abstain from so doing; and each such corporation as shall so abstain may either then or at any time thereafter by by-law in that behalf, name one of such directors who need not himself be shareholder, to serve for the like term.

Meetings for election of subsequent directors.

10. Five directors shall form a quorum for the transaction of business, and the said board of directors may employ one or more of their number as paid director or directors; provided, however, that no person shall be elected director unless he shall be the holder and owner of at least ten shares of the stock of the said company, and shall have paid up all calls upon the said stock.

Quorum of directors.

11. In the election of directors under this act, and in the transaction of all business at general shareholders' meetings, each shareholder shall be entitled to as many votes as he holds shares upon which the calls have been paid up, and shall be entitled to vote either in person or by proxy; and at all such meetings the stock held by municipal or other corporations may be represented by such person as they shall respectively have appointed in that behalf by by-law, and such person shall at such meeting be entitled equally with the shareholders to vote by proxy.

Voting.

12. The directors may, at any time, call upon the shareholders for such instalments upon each share which they or any of them may hold in the capital stock of the said company, and in such proportion as they may see fit, except that no such instalment shall exceed ten per cent, on the

Calls on shares.

subscribed capital, and that one month's notice of each call shall be given in such manner as the directors shall think fit.

Forfeiture of shares.

**13.** Advantage may be taken of the forfeiture of shares without the same having been declared to be forfeited at a general meeting of the company assembled at any time after such forfeiture occurs, provided the same be declared to be forfeited at a meeting of the board of directors.

Vacancies among directors.

**14.** The directors, or a majority of them may supply the place or places of any of their number, from time to time, dying or declining to act as such directors, from among the several persons being subscribers for or owning and holding shares in the said company sufficient to qualify him or them to act as directors as aforesaid.

Form of conveyances of lands.

Registration thereof.

**15.** All deeds and conveyances of lands to the said company for the purposes of this act, in so far as circumstances will admit, may be in the form of the schedule A, to this act subjoined, or in any other form of the like effect; and for the purposes of due enregistration of the same, all registrars in their respective counties are required to register in their registry books such deeds and conveyances, upon the production and proof of the due execution thereof, without any memorial, and shall minute the enregistration or entry on such deed; and the registrar shall receive from the said company, for all fees on every such enregistration, and for a certificate of the same, fifty cents and no more, and such enregistration shall be deemed to be valid in law; any statute or provision of law to the contrary notwithstanding.

Power to issue promissory notes,

Without individual responsibility to persons signing.

**16.** The said company shall have the power and authority to become parties to promissory notes and bills of exchange for sums not less than one hundred dollars; and any such promissory note made or endorsed, or any such bill of exchange drawn, accepted or endorsed by the president or vice-president of the company, and countersigned by the secretary and treasurer of the said company, and under the authority of a quorum of the directors, shall be binding on the said company, and every such promissory note or bill of exchange so made, shall be presumed to have been made with proper authority, until the contrary be shown, and in no case shall it be necessary to have the seal of the said company affixed to such promissory note or bill of exchange, nor shall the president or vice-president or the secretary and treasurer, be individually responsible for the same, unless the said promissory notes or bills of exchange have

been issued without the sanction and authority of the board of directors, as herein provided and enacted.

**17.** The directors of the said company shall have the power, upon being duly authorized thereto by a vote of the majority of the shareholders in the said company present at any annual meeting in the month of July, for the purpose of electing directors, or at any general meeting of the said shareholders, whereof notice shall have been given in the manner hereinabove provided in the case of a general annual meeting and election, and in which notice shall be stated and published the object of such meeting, to issue their bonds or debentures made and signed by the president or vice-president of the said company, and countersigned by the secretary and treasurer thereof, and under the seal of the said company, for the purpose of raising money for prosecuting the undertaking, and such bonds shall be and be considered to be privileged claims upon the property of the said company, and shall bear hypothec upon the said railway without registration, anything in article 2084 of the civil code, to the contrary notwithstanding; and such bonds or debentures shall and may be in the form contained in the schedule "B" annexed to this act or in any other form similar thereto and need not be executed before a notary; provided, however, that no such bonds or debentures bearing such hypothec shall be issued until after ten per cent of the whole capital stock of the said company, as provided by this act, shall have been expended in and upon the said railway; and provided, also, that the whole amount raised by such bonds or debentures shall not exceed one half the capital stock of the company, nor be in excess of the amount actually paid up on its share capital at the time of the issue of such bonds or debentures.

Power to issue debentures.

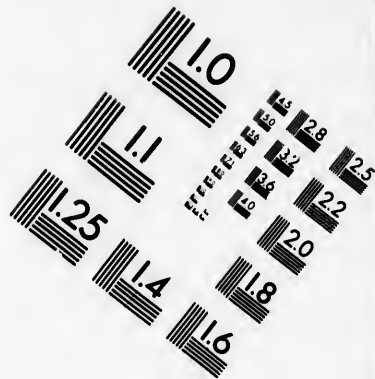
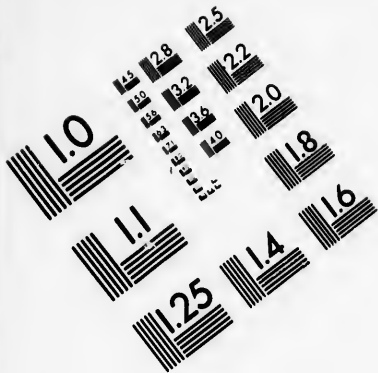
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Proviso.

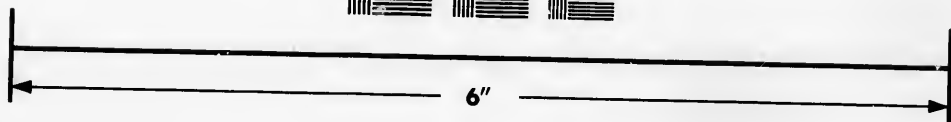
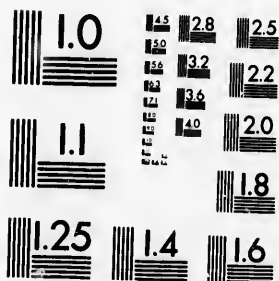
**18.** It shall be lawful for the said company to enter into any agreement with any other railway company, in this province, for leasing the said railway or any part thereof or the use thereof, at any time or times, or for any period to such other company, or for leasing or hiring from such other company any railway or part thereof, or the use thereof, or for the leasing or hiring any locomotives, tenders or moveable property, and generally to make any agreement or agreements with any such other company, touching the use by one or the other or by both companies of the railway or moveable property of either or both or any part thereof, or touching any service to be rendered by the one company to the other, and the compensation therefor; and any such agreement shall be valid and binding, and shall be enforced by courts of law according to the terms and tenor thereof.

As to agreements with other companies.





**IMAGE EVALUATION  
TEST TARGET (MT-3)**



**Photographic  
Sciences  
Corporation**

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Power to acquire, sell & 12000 acres of land.

19. The said company may from time to time purchase, have, hold, take, receive, use and enjoy any moveable property, not exceeding in the whole twelve thousand acres, along the line of the said railway, or in the vicinity thereof, but separated therefrom, and if separated therefrom, then with the necessary right of way thereto, which it may please Her Majesty or any person or corporation to give, grant, sell or convey unto and to the use of the said company; and the said company may cut wood and dig earth, gravel and stones on any such lands, either for their own use in the construction and keeping in order and working of the railway, or for sale, and may establish stations, sidings, branches, work-shops, wood-yards and gravel pits on any such lands, and may sell firewood or timber cut on such lands, and may from time to time sell and dispose of any of such lands not required or necessary to be retained for gravel pits, sidings, branches, wood-yards, station grounds or work-shops, or for other purposes of the said company, and may acquire other in lieu thereof.

### SCHEDULE A.

#### FORM OF DEED OF SALE.

Form of deed of sale.

Know all men by these presents, that I, A. B., of \_\_\_\_\_ do hereby in consideration of \_\_\_\_\_ paid to me by the Richelieu, Drummond and Arthabaska Counties Railway Company, the receipt whereof is hereby acknowledged, grant, bargain, sell and convey unto the said Richelieu, Drummond and Arthabaska Counties Railway Company, their successors and assigns, all that tract or parcel of land (describe the land), the same having been selected and laid out by the said company for the purpose of their railway; to have and to hold the said land and premises unto the said company, their successors and assigns for ever.

Witness my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_ one thousand eight hundred and \_\_\_\_\_

Signed, sealed and delivered in presence of

A. B. (L.S.)

### SCHEDULE B.

#### FORM OF DEBENTURE.

Form of debenture.

"The Richelieu, Drummond and Arthabaska Counties Railway Company."

Number

This debenture witnesseth that, "The Richelieu, Drummond and Arthabaska Counties Railway Company," under the authority of the Provincial Statute passed in the thirty-second year of her majesty's reign, intituled: "An Act to incorporate the Richelieu, Drummond and Arthabaska Counties Railway Company," have received from

of the sum of as a loan, to bear interest from the date hereof, at the rate of per centum per annum, payable half-yearly on the day of and on the day of which sum of the said company

bind and oblige themselves to pay on the day of to the said or to the bearer hereof at and to pay the interest thereon half-yearly as aforesaid on the production of the coupon therefor, which now forms part of this debenture.

And for the due payment of the said sum of money and interest, the said company, under the power given to them by the said statute, do hereby mortgage and hypothecate the real estate and appurtenances hereinafter described, that is to say: *The whole of the railroad from unto including all the lands at the termini of the said road, and all lands of the company within these limits, and all buildings thereon erected, and all and every the appurtenances thereto belonging.*

In testimony whereof, , President of the said company hath hereto set and affixed his signature, and the seal of the said company, at this day of one thousand eight hundred and President,

Countersigned and entered

(L.S.)

Secretary.

CAP. LVII.

An Act to incorporate the "Sherbrooke, Eastern Townships and Kennebec Railway Company."

[Assented to 5th April, 1869.]

**W**HEREAS Alexander T. Galt, Charles J. Brydges, *Preamble.* Joseph G. Robinson, George F. Bowen, George H. Borlase, George Addie, the younger, Zerah Evans, Richard D. Morkill, Henry Cameron, Jean-Baptiste Brodeur, Esquires, and others, have petitioned the legislature for an act of

incorporation to construct a railroad from the town of Sherbrooke to and into the township of Weedon *via* Dudswell, and thence by the most feasible route and grade to connect with the proposed Levis and Kennebec Railway, and whereas it is expedient to grant the prayer of the said petition; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Certain persons incorporated.

**1.** The said Alexander T. Galt, Charles J. Brydges, Joseph G. Robertson, George F. Bowen, George H. Borlase, George Addie, the younger, Zerah Evans, Richard D. Morkill, Henry Cameron, and Jean-Baptiste Brodeur, together with such other persons or corporations as shall become subscribers and shareholders in the company hereby incorporated, shall be and are hereby ordained, constituted and declared to be a body corporate and politic, by and under the name and style of the "Sherbrooke, Eastern Townships and Kennebec Railway Company."

Power to construct a railway on a certain line.

**2.** The said company and their servants shall have full power and authority to lay out, construct, make and finish a double or single wooden railway at their own cost and charges, of such width or gauge, and from such point in the town of Sherbrooke, as the directors of said company for the time being may think most advantageous, and as will insure the best grades to and into the township of Weedon, *via* Dudswell, and thence by the most feasible route and grade to connect with the proposed Levis and Kennebec Railway; with power hereafter to substitute iron rails for wooden on any part of said road, in the action of the directors.

Capital stock.

**3.** The capital stock of the said company shall be the sum of five hundred thousand dollars, (with power to increase the same as provided by *The Quebec Railway Act*, 1869, passed during the present session), to be divided into twenty thousand shares of twenty-five dollars each— which amount shall be raised by the persons hereinbefore named, and such other persons and corporations as may become shareholders in such stock; and the money so raised shall be applied in the first place, towards the payment of all fees, expenses and disbursements for procuring the passing of this act, and for making the surveys, plans and estimates connected with the railway, and all the rest and remainder of such money shall be applied towards the making, completing and maintaining the said railway and other purposes of this act; provided always, that until the said preliminary expenses shall be paid out of the capital stock, it shall be lawful for the municipality of

Application thereof.

Proviso: as to payment of preliminary expenses by municipalities

any county, city, town or township, interested in the railway, or otherwise, to pay out of the general funds of such municipality, such preliminary expenses, which sums shall be refunded to such municipality from the stock of the said company, or be allowed to them in payment of stock; and this act shall be to all intents and purposes, good and in full force and effect for such portion or portions of said railway as may be begun in four years and completed in eight years from the passing of this act.

4. The said Alexander T. Galt, Charles J. Brydges, Provisional directors.  
Joseph G. Robertson, George F. Bowen, George H. Borlase, George Addie, the younger, Zerah Evans, Richard D. Morkill, Henry Cameron and Jean-Baptiste Brodeur, shall be and are hereby constituted a board of directors of the said company and shall hold office as such until other directors shall be elected under the provisions of this act, by the shareholders, and shall have power and authority, immediately after the passing of this act, to open stock-books and procure subscriptions for the undertaking, to make calls upon the subscribers, to cause surveys and plans to be made and executed, and, as hereinafter provided, to call a general meeting of the shareholders for the election of directors. Their powers.

5. The said directors are hereby empowered to take all necessary steps for opening the stock-books for the subscriptions of persons desirous of becoming shareholders in the said company; and all persons subscribing to the capital stock of the said company shall be considered proprietors and partners in the same, but shall be liable only to the extent of their stock therein. Limited liability of shareholders.

6. When and so soon as one-tenth part of said capital stock shall have been subscribed, as aforesaid, it shall and may be lawful for the said directors, or a majority of them, to call a meeting of the shareholders at such time and place as they may think proper, giving at least two weeks' notice in a newspaper published in the town of Sherbrooke, at which general meeting, and at the annual general meetings, in the following sections mentioned, the shareholders present, either in person or by proxy, shall elect nine directors, in the manner and qualified as hereinafter provided, which said nine directors shall constitute a board of directors, and shall hold office until the first Monday in June, in the year following their election. Meeting for election of first directors.

7. On the said first Monday in June, and on the first Monday in June in each year thereafter, there shall be Meetings for election of subsequent directors.

holden a general meeting of the shareholders of the said company, at the principal office of the said company, at which meeting the shareholders shall elect nine directors for the then ensuing year, in the manner and qualified as hereinafter provided; and public notice of such annual general meeting and election shall be published one month before the day of election, in one or more newspapers published in the town of Sherbrooke, and the election of directors shall be by ballot; and the persons so elected, together with the *ex-officio* directors under the said Quebec Railway Act, 1869, shall form the board of directors.

Quorum of directors.

8. Five directors shall form a quorum for the transaction of business, and the said board of directors may employ one or more of their number as paid director or directors; provided, however, that no person shall be elected director unless he shall be the holder and owner of at least ten shares of the stock of the said company, and shall have paid up all calls upon the said stock.

Voting.

9. In the elections of directors under this Act, and in the transaction of all business at general shareholders' meetings, each shareholder shall be entitled to as many votes as he holds shares upon which the calls have been paid up, and shall be entitled to vote either in person or by proxy.

Calls on shares.

10. The directors may, at any time, call upon the shareholders for such instalments upon each share which they or any of them may hold in the capital stock of the said company, and in such proportion as they may see fit, except that no such instalment shall exceed ten per cent on the subscribed capital, and that one month's notice of each call shall be given in such manner as the directors shall think fit.

Vacancies among directors.

11. The directors, or a majority of them, may supply the place or places of any of their number, from time to time, dying or declining to act as such directors, from among the several persons being subscribers for or owning and holding shares in the said company sufficient to qualify him or them to act as directors as aforesaid.

Form of conveyances of lands.

12. All deeds and conveyances of lands to the said company for the purposes of this act, in so far as circumstances will admit, may be in the form of the schedule A, to this act subjoined, or in any other form to the like effect; and for the purposes of due enregistration of the same, all registrars in their respective counties are required to regis-

ter in their registry books, such deeds and conveyances, upon the production and proof of the due execution thereof, without any memorial, and shall minute the enregistration or entry on such deed; and the registrar shall receive from the said company, for all fees on every such enregistration, and for a certificate of the same fifty cents and no more, and such enregistration shall be deemed to be valid in law; any statute or provision of law to the contrary notwithstanding.

**13.** The said company shall have power and authority to become parties to promissory notes and bills of exchange for sums not less than one hundred dollars; and any such promissory note made or endorsed, or any such bill of exchange drawn, accepted or endorsed by the president or vice-president of the company, and countersigned by the secretary and treasurer of the said company, and under the authority of a quorum of the directors, shall be binding on the said company; and every such promissory note or bill of exchange so made, shall be presumed to have been made with proper authority, until the contrary be shown, and in no case shall it be necessary to have the seal of the said company affixed to such promissory note or bill of exchange, nor shall the president or the vice-president or the secretary and treasurer, be individually responsible for the same, unless the said promissory notes or bills of exchange have been issued without the sanction and authority of the board of directors, as herein provided and enacted.

Power to issue promissory notes, &c.  
Without individual responsibility, of persons signing.

**14.** The directors of the said company shall have the power upon being duly authorized thereto by a vote of the majority of the shareholders in the said company present at any annual meeting in the month of June, for the purpose of electing directors, or at any general meeting of the said shareholders, whereof notice shall have been given in the manner hereinabove provided in the case of a general annual meeting and election, and in which notice shall be stated and published the object of such meeting, to issue their bonds made and signed by the president or vice-president of the said company, and countersigned by the secretary and treasurer, and under the seal of the said company, for the purpose of raising money for prosecuting the undertaking, and such bonds shall be and be considered to be privileged claims upon the property of the said company, and shall bear hypothec upon the said railway without registration; Provided, however, that no such bonds bearing such hypothec shall be issued until after ten per cent of the whole capital stock of the said company, as provided by this act, shall have been expended in and upon the said rail-

Power to issue bonds.  
Bonds to be privileged.  
Proviso.

way; And provided, also, that the whole amount raised by such bonds shall not exceed one half the capital stock of the company, nor be in excess of the amount actually paid up on its share capital at the time of the issue of such bonds.

As to agreements with other companies.

**15.** It shall be lawful for the said company, to enter into any agreement with any other railway company, in this province, for leasing the said railway, or any part thereof, or the use thereof, at any time or times, or for any period to such other company, or for leasing or hiring from such other company any railway or part thereof, or the use thereof, or for the leasing or hiring any locomotives, tenders, or moveable property, and generally to make any agreement or agreements with any such other company, touching the use by one or the other, or by both companies, of the railway or moveable property of either or both, or any part thereof, or touching any service to be rendered by the one company to the other, and the compensation therefor; and any such agreement shall be valid and binding, and shall be enforced by courts of law according to the terms and tenor thereof.

Provisions as to amalgamation with St. Francis V. & Kennebec Railway.

**16.** It shall be lawful for the said company to amalgamate with the Saint Francis Valley and Kennebec Railway Company, as one company, at any time hereafter. Provided always that whenever the directors of those two companies respectively have agreed to make such amalgamation, and two-thirds of the votes of the shareholders of the said two companies, present in person or by proxies at a general meeting of each of these companies, called expressly for that purpose, in the manner provided in the respective acts whereby they are incorporated, for the calling of general meetings, shall have ratified the above agreement of the said directors, then the said two companies shall become *ipso facto* amalgamated, and shall become one and the same corporation and company, under the title of The Sherbrooke, Saint Francis Valley and Kennebec Railway Company, and the directors and provisional directors (if any) of the two companies, so amalgamated, shall be the directors of the company formed out of the said amalgamated companies, until the then next election of directors, which shall take place on the first Monday in June then next following.

Power to construct branch lines;

**17.** The said Sherbrooke, Eastern Townships and Kennebec Railway Company, or the company which may be formed by the amalgamation with the Saint Francis Valley and Kennebec Railway Company, may also construct, make



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and maintain a branch or branches of similar railway, from such point or points on the main line as the directors may judge the most expedient and advantageous to be run, either by horse or steam power, not exceeding twenty-five miles in length each, subject, however, to the previous consent of the lieutenant-governor in council and proclamation of such consent in the *Quebec Official Gazette*.

18. The provisions of the said Quebec Railway Act, 1869, shall apply to the company hereby incorporated except in so far as the special provisions of this act may be inconsistent therewith. Quebec rail-  
way act.

SCHEDULE A.

(FORM OF DEED OF SALE.)

Know all men by these presents, that I, A. B., of \_\_\_\_\_, do hereby in consideration of \_\_\_\_\_ paid to me by the Sherbrooke, Eastern Townships and Kennebec Railway Company, the receipt whereof is hereby acknowledged, grant, bargain, sell and convey unto the said Sherbrooke, Eastern Townships and Kennebec Railway Company, their successors and assigns, all that tract or parcel of land, (*describe the land.*) the same having been selected and laid out by the said company for the purposes of their railway; to have and to hold the said land and premises unto the said Company, their successors and assigns for ever.

Witness my hand and seal, this \_\_\_\_\_ day of \_\_\_\_\_ one thousand eight hundred and \_\_\_\_\_

Signed, sealed and delivered in presence of

A. B. [L. S.]

CAP. LVIII.

An Act to incorporate the St Francis Valley and Kennebec Railway Company.

[Assented to 5th April, 1869.]

**W**HEREAS, Benjamin Pomroy, Charles Brooks, John Henry Pope, Lemuel Pope, Colin Noble, esquires and others, have petitioned the legislature for an act of incorporation to construct a railroad from the terminus of the Massawippi railroad, or from some point on the Preamble.

Grand Trunk railway at or near Lennoxville, running south of the St. Francis river, on the most direct practical route to or near the place known as the DeCourtney Place, in the township of Bury; thence as near the road will permit; thence to the head of lake St. Francis; and thence to join the proposed Levis and Kennebec railway; and whereas it is expedient to grant the prayer of said petition; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Certain persons incorporated.

1. The said petitioners, viz: Benjamin Pomroy, Charles Brooks, John Henry Pope, Lemuel Pope, Colin Noble, James Ross, Christian Henry Pozer, Thomas Samuel Morey, Cyrus Alexander Baily, together with such other persons or corporations as shall become subscribers and shareholders in the company hereby incorporated, shall be and are hereby ordained, constituted and declared to be a body corporate and politic in fact, by and under the name and style of the St Francis Valley and Kennebec Railway Company.

Power to construct railway on certain line.

2. The said company and their servants shall have full power and authority to lay out, construct, make and finish a double or single railway of iron or wood, at their own cost and charges, of the same width and gauge as the Massawippi Valley, or the Grand Trunk railway (as the directors may decide), from the terminus of the Massawippi or from some point on the line of the Grand Trunk at or near Lennoxville, as the directors of the said company for the time being may think most advantageous, running south of the St. Francis river on the most direct practical route to a place at or near DeCourtney Place, Bury; thence to or near Bishop's landing, in the township of Dudswell, and from thence by such route as the directors of the said company may deem expedient, with a view to easy grade, and most practical route for the extension of the road on the south side of the river St. Francis to a point on the Chaudière river, to connect with the Levis and Kennebec railway.

Capital stock.

3. The capital stock of the said company shall not exceed in the whole the sum of five hundred thousand dollars (with power to increase the same as provided by the railway act), to be divided into five thousand shares, of one hundred dollars each, which amount shall be raised by the persons hereinbefore named, and such other persons and corporations as may become shareholders in such stock, and the money so raised shall be applied, in the first place, towards the payment of all fees, expenses and disburse-

Application thereof.

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ments for procuring the passing of this act, and for making surveys, plans and estimates connected with the railway, and all the rest and remainder of such money shall be applied towards the making, completing and maintaining the said railway and other purposes of this act; provided always, that until the said preliminary expenses shall be paid out of the capital stock, it shall be lawful for the municipality of any county, city, town or township interested in the railway, or otherwise, to pay out of the general funds of such municipality, such preliminary expenses, which sums shall be refunded to such municipality from the stock of the said company, or be allowed to them in payment for stock.

Proviso: as to payment of preliminary expenses by municipalities

4. The said Benjamin Pomroy, Charles Brooks, John Henry Pope, Lemuel Pope, Colin Noble, James Ross, Christian Henry Pozer, Samuel Thomas Morey, and Cyrus Alexander Baily shall be and are hereby constituted a board of directors of the said company, and shall hold office as such until other directors shall be elected under the provisions of this act by the shareholders, and shall have power and authority immediately after the passing of this act, to open stock-books and procure subscriptions for the undertaking, to make calls upon the subscribers, to cause surveys and plans to be made and executed, and as hereinafter provided to call a general meeting of the shareholders for the election of directors.

Provisional directors.

Their powers.

5. The said directors are hereby empowered to take all necessary steps for opening the stock-books for the subscriptions of persons desirous of becoming shareholders in the said company; and all persons subscribing to the capital stock of the said company shall be considered proprietors and partners in the same, but shall be liable only to the extent of their stock therein.

Limited liability of shareholders.

6. When and so soon as one-sixth part of the said capital shall have been subscribed, as aforesaid, it shall and may be lawful for the said directors, or a majority of them, to call a meeting of shareholders at such time and place as they may think proper, giving at least two weeks' notice in French and English, in two papers published in the town of Sherbrooke, at which general meeting, and at the annual general meetings in the following sections mentioned, the shareholders present, either in person or by proxy, shall elect nine directors, in the manner and qualified as hereinafter provided, which said nine directors shall constitute a board of directors, and shall hold office until the first Wednesday in September, in the year following their

Meeting for election of first directors.

election; this act and all the provisions thereof shall become null and void unless the construction of the said railroad be commenced within three years and completed within six years of the passing of the same.

Meetings for election of subsequent directors.

7. On the said first Wednesday in September, and on the first Wednesday in September in each year thereafter, there shall be holden a general meeting of the shareholders of the said company, at the principal office of the said company, at which meeting the shareholders shall elect nine directors for the then ensuing year, in the manner and qualified as hereinafter provided; and public notice of such annual general meeting and election, shall be published, one month before the day of election, in one or more newspapers published in the town of Sherbrooke, and the election of directors shall be by ballot; and the persons so elected, together with the *ex-officio* directors under the railway act, shall form the board of directors.

Quorum of directors.

8. Five directors shall form a quorum for the transaction of business, and the said board of directors may employ one or more of their number as paid director or directors; provided, however, that no person shall be elected director, unless he shall be the holder and owner of at least five shares of the stock of the said company, and shall have paid up all calls upon the said stock.

Voting.

9. In the election of directors under this act, and in the transaction of business at the general shareholders' meetings, each shareholder shall be entitled to as many votes as he holds shares upon which the calls have been paid up, and shall be entitled to vote either in person or by proxy.

Calls on shares.

10. The directors may, at any time, call upon the shareholders for such instalments upon each share which they or any of them may hold in the capital stock of the said company, and in such proportion as they may see fit, except that no such instalments shall exceed ten per cent. on the subscribed capital, and that one month's notice of each call shall be given in such manner as the directors shall think fit.

Form of conveyances of lands.

11. All deeds and conveyances of lands to the said company for the purposes of this act, in so far as circumstances will admit, may be in the form of schedule A, to this act subjoined, or in any other form to the like effect, and for the purpose of due enregistration of the same, all registrars in their respective counties are required to register in their registry books such deeds and conveyances, upon the pro-

Registration thereof.

duction and proof of the due execution thereof, without any memorial, and shall minute the enregistration or entry on such deeds; and the registrar shall receive from the said company, for all fees on every such enregistration and for a certificate of the same, fifty cents and no more, and such enregistration shall be deemed to be valid in law; any statute or provision of law to the contrary notwithstanding.

**12.** The said company shall have power and authority to become parties to promissory notes and bills of exchange, for sums not less than one hundred dollars; and any such promissory note made or endorsed, or any such bill of exchange drawn, accepted or endorsed by the president or vice-president of the company, and countersigned by the secretary and treasurer of the said company, and under authority of a quorum of the directors, shall be binding on the said company; and every such promissory note or bill of exchange so made, shall be presumed to be made with proper authority until the contrary be shown, and in no case shall it be necessary to have the seal of the said company affixed to such promissory note or bill of exchange, nor shall the president or vice-president or the secretary-treasurer, be individually responsible for the same, unless the said promissory notes or bills of exchange have been issued without the sanction and authority of the board of directors, as herein provided and enacted.

**13.** The directors of the said company shall have the power, upon being duly authorized hereunto by a vote of the majority of the shareholders in the said company, present at an annual meeting in the month of September, for the purpose of electing directors, or at any other general meeting of the said shareholders, whereof notice shall have been given in the manner hereinabove provided in the case of a general annual meeting and election, and in which notice shall be stated and published the object of such meeting, to issue their bonds made and signed by the president or vice-president of the said company, and countersigned by the secretary and treasurer, and under the seal of the said company, for the purpose of raising money for prosecuting the undertaking, and such bonds shall be and be considered to be privileged claims upon the property of the said company, and shall bear hypothec upon the said railway without registration; provided, however, that no such bonds bearing such hypothec shall be issued until after twenty-five per cent of the whole capital stock of the said company, as provided by this act, shall have been expended in and upon the said railway;

and provided, also, that the whole amount raised by such bonds shall not exceed one-half the capital stock of the company, nor be in excess of the amount actually paid up on its share capital at the time of the issue of such bonds.

As to agree-  
ments with  
other com-  
panies.

**14.** It shall be lawful for the said company to enter into any agreement with any other railway company, in this province, for leasing the said railway or any part thereof, or the use thereof at any time or times, or for any period, to such other company, or for leasing or hiring from such other company any railway or part thereof, or the use thereof, or for the leasing or hiring any locomotives, tenders or moveable property, and generally to make any agreement or agreements with any such other company touching the use by one or the other or by both companies of the railway or moveable property of either or of both, or any part thereof, or touching any service to be rendered by the one company to the other, and the compensation therefor; and any such agreement shall be valid and binding, and shall be enforced by courts of law according to the terms and tenor thereof.

Provisions as  
to amalgama-  
tion with  
Sherbrooke, E.  
T., and Ken-  
nebec Railway  
Co.

**15.** It shall be lawful for the said company to amalgamate with the Sherbrooke, Eastern townships and Kennebec railway company as one company at any time hereafter; provided always that whenever the directors of these two companies respectively have agreed to make such amalgamation, and two thirds of the votes of the shareholders of the said two companies called expressly for that purpose in the manner provided in the respective acts whereby they are incorporated, for the calling of general meetings, shall have ratified the above agreement of the said directors, then the said two companies shall become *ipso facto* amalgamated and shall become one and the same corporation and company under the title of "The Sherbrooke, Saint Francis Valley and Kennebec Railway Company," and the directors and provisional directors (if any) of the two companies so amalgamated shall be the directors of the company formed out of the said amalgamated companies, until the next election of directors which shall take place on the first Monday in June then next following.

Quebec rail-  
way act.

**16.** The provisions of the Quebec Railway Act, 1869, passed during the present session, shall apply to the company hereby incorporated, except in so far as the special provisions of this act may be inconsistent therewith.

SCHEDULE A.

FORM OF DEED OF SALE.

Know all men by these presents that I, A. B., of Form of deed.  
do hereby, in consideration of  
paid to me by the St. Francis  
Valley and Kennebec Railway Company, the receipt  
whereof is hereby acknowledged, grant, bargain, sell and  
convey unto the St. Francis Valley and Kennebec Railway  
Company, their successors and assigns, all that tract or  
parcel of land (describe the land), the same having been  
selected and laid out by the said company for the purposes  
of their railway; to have and to hold the said land and  
premises unto the said company, their successors and  
assigns forever.

Witness, my hand and seal, this \_\_\_\_\_ day of  
one thousand eight hundred and \_\_\_\_\_

Signed, sealed and delivered in presence of

[L.S.]

A. B.

CAP. LIX.

An Act to incorporate the Missisquoi Junction Railway  
Company.

[Assented to 5th April, 1869.]

**W**HEREAS the persons hereinafter named, and others, Preamble.  
have petitioned for incorporation as a company  
to construct the railway hereinafter described, and the  
construction of such railway would be of great benefit to  
the commerce and for the advantage of the district through  
which such railway would pass, and it is expedient to  
grant their prayer; Therefore, Her Majesty, by and with  
the advice and consent of the Legislature of Quebec, en-  
acts, as follows:

1. The Honorable Thomas Wood, R. L. Galer, J. B. Gibson, M. D., William C. Baker, J. N. Galer, Brown Cham- Certain persons incorporated.  
berlin, Thomas Selby, Joshua Chamberlin, M. D., Ambrose  
S. Spencer, Myron J. Deming, Norman A. Smith, M.D., N.  
Stevens Whitney, William S. Baker, Edward Finley, Asa  
Frarey, George C. Dyer and Simeon R. Whitman, esquires,  
with all such other persons and corporations as shall be-  
come shareholders in the company hereby incorporated,

shall be and are hereby constituted a body corporate and politic, by the name of "The Missisquoi Junction Railway Company."

Power to construct railway on a certain line.

2. The said company and their agents and servants may, under this act, lay out, construct and finish a double or single track iron railway, of such width or gauge as the company see fit, from such point as may be determined upon, on the line of the Stanstead, Shefford and Chambly Railroad, or the South-eastern counties Junction Railway to and through the townships of Dunham and the parish of St. Armand East, in the county of Missisquoi to the province line, with a branch from some point in the said township of Dunham to and through the township of Sutton in the county of Bromé to the province line; and the said company shall have the power to construct the different sections of the said railway in such order as they see fit, keeping in view the general direction as hereinbefore provided.

And on a certain other line.

3. The said company may moreover construct a line of railway from any point or place on the province line in the township of Sutton to any other point or place on the said province line in the township of Potton; and the said last mentioned line of railway shall be considered as forming part of the branch mentioned in the preceding section.

Capital stock.

4. The capital stock of the said company shall be two hundred and fifty thousand dollars, to be divided into two thousand and five hundred shares of one hundred dollars each, with power to increase the same in accordance with the provisions of the railway act, which amount shall be raised by the persons hereinbefore named, and such other persons and corporations as may become shareholders in the said stock; and the money so raised shall be applied, in the first place, to the payment of all fees, expenses and disbursements for procuring the passing of this act, and for making the surveys, plans and estimates connected with the railway, and all the rest and remainder of such money shall be applied towards making, completing and maintaining the said railway and other purposes of this act; provided always, that until the said preliminary expenses shall be paid out of the capital stock, it shall be lawful for the municipality of any county, city, town or township interested in the said railway or otherwise, to pay out of the general funds of such municipality such preliminary expenses which sums shall be refunded to such municipality from the stock of the said company or

Application thereof.

Provide: as to payment of preliminary expenses by municipalities.



be allowed in payment of stock ; and it shall be lawful for the provisional directors of said company to reserve and hold in trust such portion of said stock or shares as they may deem necessary ; wherewith to meet such preliminary expenses and to deliver in satisfaction of claims for right of way or to contractors for the construction of the said road or any part thereof.

5. All manufacturing, mining or other trading corporations carrying on their operations in whole or in part within the limits of the counties of Missisquoi and Brome, whether incorporated by special act, or under any general act, may subscribe for or otherwise acquire, and may hold, any number of shares of the capital stock of the said company, and may dispose of the same at pleasure. Certain companies may take shares.

6. The Honorable Thomas Wood, R. L. Galer, J. B. Gibson, M.D., William C. Baker, J. N. Galer, Brown Chamberlin, Thomas Selby, Joshua Chamberlin, M.D., Ambrose S. Spencer, Myron J. Deming, Norman A. Smith, M.D., N. Stevens Whitney, William S. Baker, Edward Finley, Asa Frarey, George C. Dyer and Simon R. Whitman, esquires, shall be and are hereby constituted a board of directors of the said company and shall hold office as such, until other directors shall be appointed under the provisions of this act by the shareholders, and shall have power and authority to fill vacancies occurring therein, to associate with themselves therein not more than five other persons, who shall thereupon become and be directors of the company equally with themselves, to open stock books and procure subscriptions for the undertaking, to make calls upon the subscribers, to cause plans and surveys to be made and executed, to call a general meeting of shareholders for the election of other directors as hereinafter provided, and generally to do all such other acts as such board under the railway act may lawfully do. Provision a directors. Their powers.

7. The said directors are hereby empowered to take all necessary steps for opening the stock books for the subscription of parties desirous of becoming shareholders in the said company, and all parties subscribing to the capital stock of the said company, shall be considered proprietors and partners in the same. Subscribers to stock deemed proprietors and partners.

8. When and so soon as one-tenth part of the said capital stock shall have been subscribed, as aforesaid, the said directors or a majority of them, may call a meeting of shareholders at such time and place as they shall think proper, giving at least two weeks' notice in one or more Meeting for election of first directors.

newspapers published in the city of Montreal, and in the judicial district through which the said railway shall pass, at which said general meeting and at the annual general meetings in the following sections mentioned, the shareholders present either in person or by proxy, shall elect not less than seven nor more than ten directors, in the manner and qualified as hereinafter provided; which said directors shall constitute a board of directors, and shall hold office until the second Monday in September in the year following their election.

Meeting for election of subsequent directors.

9. On the said second Monday of September, and on the second Monday in September in each year thereafter, at the principal office of the said company, there shall be holden a general meeting of the shareholders of the said company, at which meeting the said shareholders shall elect a like number of not less than seven nor more than ten directors for the then ensuing year, in the manner and qualified as hereinafter provided; and public notice of such annual general meeting and election shall be published one month before the day of election, in one or more newspapers published in the said judicial district; and the elections of directors shall be by ballot, and the persons so elected, together with the *ex-officio* directors, under the railway act, shall form the board of directors.

Quorum of directors.

10. Five directors shall form a quorum for the transaction of business, and the said board of directors may employ one or more of their number as paid director or directors; provided, however, that no person shall be elected a director, unless he shall be the holder and owner of at least seven shares of the stock of the said company, and shall have paid up all calls on the said stock.

Voting.

11. In the elections of directors under this act, and in the transaction of all business at general shareholders' meetings, each shareholder shall be entitled to as many votes as he holds shares, upon which the calls have been paid up.

Calls upon shares.

12. The directors may, at any time, call upon the shareholders for instalments upon each share which they, or any of them, may hold in the capital stock of the said company, in such proportion as they may seem fit, in such a manner that no such instalment shall exceed ten per cent, by giving at least one month's notice thereof, in such manner as the directors may appoint.

Form of deeds of conveyance.

13. All deeds and conveyances of lands to the said com-

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pany for the purposes of this act, in so far as circum-  
stances will admit, may be in the form given in schedule  
A, to this act subjoined, or in any other form to the like  
effect; and for the purposes of due enregistration of the <sup>Their</sup> registration.  
same, all registrars in their respective counties, shall be  
furnished by, and at the expense of the said company, with  
a book with copies of the forms given in the said schedule  
A, one to be printed on each page, leaving the necessary  
blanks to suit the circumstances upon each separate con-  
veyance, and shall, upon the production and proof of due  
execution of any such conveyance, enter the same in the  
said book without any memorial, and shall minute the en-  
registration or entry on the deed, and the registrar shall  
charge and receive from the said company for all fees on  
every such enregistration, fifty cents, and no more, and  
such enregistration shall be deemed to be valid in law, any  
statute or provision of law to the contrary notwithstanding.

**14.** The said company shall have power and authority <sup>Power to issue</sup>  
to become parties to promissory notes and bills of exchange, <sup>promissory</sup>  
for sums not less than one hundred dollars, and any such <sup>notes.</sup>  
promissory note made or endorsed by the president or vice-  
president of the company, and countersigned by the secre-  
tary and treasurer of the said company, under the authority  
of a majority of a quorum of the directors, shall be binding  
upon the said company; and every such promissory note or  
bill of exchange so made, shall be presumed to have been  
made with proper authority until the contrary be shewn,  
and in no case shall it be necessary to have the seal of the  
said company affixed to such promissory note or bill of  
exchange, nor shall the said president or vice-president, or <sup>Without indi-</sup>  
the secretary and treasurer of the said company, be indivi- <sup>vidual respon-</sup>  
dually responsible for the same, unless the said promissory <sup>sibility of per-</sup>  
notes and bills of exchange have been issued without the <sup>sons signing.</sup>  
sanction and authority of the board of directors as herein  
provided and enacted.

**15.** The directors of the said company shall have the <sup>Power to issue</sup>  
power, upon being duly authorized thereto by a vote of a <sup>bonds.</sup>  
majority of stockholders in the said company, present at  
any annual meeting in the month of September, for the  
purpose of electing directors, to issue their bonds, made  
and signed by the president and vice-president of the said  
company, and countersigned by the secretary and treasurer,  
and under the seal of the said company, for the purpose of  
raising money for prosecuting the undertaking, and such  
bonds shall be and be considered to be privileged claims <sup>Bonds to be</sup>  
upon the property of the said company, and shall bear hy- <sup>privileged.</sup>  
pothec upon the said railway without registration;

Proviso.

provided, however, that no such bonds bearing such hypothec shall be issued until after ten per cent of the whole capital stock of the said company, as provided by this act, shall have been expended in and upon the said railway, and provided also, that the whole amount raised upon such bonds shall not exceed one hundred and twenty-five thousand dollars unless and until the capital stock shall be increased, and thereafter, the amount of said bonds so to be issued shall not exceed fifty per cent of the amount of the capital stock of the company.

Proviso.

Detention of goods for non payment of charges.

**16.** In case of neglect or refusal to pay the toll or freight due to the said company on any goods, they shall have the power to detain the same until the payment of such freight be made, and in the meantime such goods shall be at the risk of the owner, and if such goods be of a perishable nature, the said company shall have the right to sell the same forthwith, on the certificate of two competent persons establishing the fact of their being so perishable; and if such goods are not of a perishable nature, and shall remain unclaimed for twelve months, the company may, after giving one month's notice in two newspapers nearest the place where the goods may be, dispose of the same by public auction, and the proceeds of the sale, after paying the freight and cost of sale, shall be handed over to the owner if he shall claim the same.

Sale of perishable goods.

Power to enter into arrangements with certain other railways.

**17.** It shall be lawful for the said company to enter into an agreement with the Stanstead, Shefford and Chambly railway company, or the South-eastern Counties Junction railway company, for the establishment of the North-western terminus of their railway at any station within the province of Quebec on the line of either of the said railways, and may also enter into agreements with the said railway companies, or any other railway company in the province of Quebec for leasing the said railway or any part thereof, or the use thereof, at any time or times, to such other company, or for leasing or hiring from such other company, any railroad or part thereof, or the use thereof, or for leasing or hiring any locomotives, tenders, or moveable property, and generally to make any agreement or agreements with any such other company touching the use by one or the other or by both companies, of the railroad or moveable property of either or of both, or any part thereof, or touching any service to be rendered by the one company to the other, and the compensation therefor, and any such agreement shall be valid and binding and shall be enforced by courts of law, according to the terms and tenor thereof.

18. The directors of the said company elected by the shareholders in accordance with the provisions of this act shall have power and authority to enter into and conclude arrangements with any other chartered railway company for the purpose of making any branch or branches to facilitate a connection between this company and such other chartered railway company, and shall have full power and authority to enter into negotiations with any company having the chartered right of constructing a bridge across the St. Lawrence river, at or near the city of Montreal, for the right of using the said bridge for the purposes of the railway, and the advantage and benefit of the company hereby incorporated.

Directors may make arrangements to connect with other railways or for use of bridges across the Saint Lawrence.

19. All by-laws passed by the municipal council of any municipality in the county of Missisquoi, and approved by the rate-payers thereof, for taking stock in a company to be incorporated to build the railway mentioned in this act or any part thereof, shall be and are hereby declared to be all intents and purposes, as lawful and binding upon such municipalities and rate-payers as if this act had been passed, and the Missisquoi Junction Railway Company organized in conformity with its provisions before the passing of such by-laws or any of them, and the said company had been expressly mentioned therein.

Certain municipal by-laws in Missisquoi made applicable to company hereby incorporated.

20. In case any municipality shall subscribe for stock or shares of the said company to a less amount than twenty thousand dollars, then and in that case, the mayor of such municipality for the time being, or other person authorized to that effect by the municipal council of the said municipality, shall have the power to vote upon such stock or shares at all meetings of shareholders of the company, in as full and ample a manner as if he were personally the holder and owner of such stock.

In certain cases mayors may vote on the stock of the municipality.

21. The provisions of the Quebec railway act, 1869, passed during the present session, shall apply to the company hereby incorporated, except in so far as the special provisions of this act may be inconsistent therewith.

Quebec railway act.

#### SCHEDULE A.

##### FORM OF DEED OF SALE.

Know all men by these presents, that I, A. B., of  
do hereby, in consideration of  
me by the Missisquoi Junction Railway company, the  
receipt whereof is hereby acknowledged, grant, bargain, sell

Form of deed.

paid to

and convey unto the said Missisquoi Junction Railway Company their successors and assigns, all that tract or parcel of land, (*describe the land*) the same having been selected and laid out by the said company for the purposes of their railway, to have and to hold the said land and premises unto the said company, their successors and assigns forever.

Witness my hand and seal, this \_\_\_\_\_ day of \_\_\_\_\_

one thousand eight hundred and \_\_\_\_\_

[L. S.]

A. B.

CAP. LX.

An Act to amend the Act incorporating the South Eastern Counties Junction Railway Company.

[Assented to 5th April, 1869.]

Preamble.

WHEREAS the South Eastern Counties Junction Railway Company, chartered under Act of the Legislature of the late Province of Canada, for the construction of the Railway therein designated, and which is wholly within this Province, have by petition prayed for amendments of their said Act of incorporation as herein set forth, and it is expedient to grant their prayer; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

29, 30 V., c.  
100 amended.

1. The Act of the Legislature of the late Province of Canada, passed in the session thereof holden in the twenty-ninth and thirtieth years of Her Majesty's reign, and intitled "An Act to incorporate the South Eastern Counties Junction Railway Company," is hereby amended as follows:—

Company may  
construct  
certain  
branches or  
sections in  
wood or iron.

1. The company, if they see fit, may lay out, construct and finish their railway, or any branch or branches thereof, to any point or points on the Province Line, whether in the township of Potton or in that of Sutton, so as there to meet any other line or lines of railway; and may in the first instance construct any section or sections of their railway in wood only, and in that case may afterwards, convert the same into iron; and may lay out, construct and finish, either in wood or in iron, and, if in wood, may afterwards convert into iron, a branch or branches thereof not in any case over twenty miles long, from any of the stations thereof in Dunham, Brome or Potton; and every

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branch of their railway shall be held to all intents to be a section of their main line; but all agreements between the company and any municipality touching the employment, in whole or in part, upon or for any branch, of any moneys or debentures subscribed for stock, or otherwise granted, by such municipality, and all municipal subscriptions of stock, conditional or otherwise, and all municipal by-laws relative thereto, shall nevertheless be and remain to all intents valid and binding.

2. If any municipality shall subscribe for stock of the company to a less amount than twenty thousand dollars, the mayor thereof, or any other person thereto authorized by the municipal council, may vote upon such stock at all meetings of the shareholders of the company, to all intents as though personally the owner of such stock.

3. The several delays of three years and ten years from the date of the passing of the act hereby amended, which are at present limited by law for the commencement and completion respectively of the railway of the company, are hereby so extended as to count only from the date of the passing of this act.

2. This act, and the act hereby amended, shall be held and construed as though forming one and the same act, and the expression "The charter of the South Eastern counties junction railway company," shall be a sufficient citation of the said act, as hereby amended.

CAP. LXI.

An Act further to amend the acts relating to the Stanstead, Shefford and Chambly Rail-Road Company.

[Assented to 5th April, 1869.]

WHEREAS the Stanstead, Shefford and Chambly Rail-Road Company, have petitioned the legislature for certain amendments in their act of incorporation, and the acts relating thereto, and inasmuch as great progress has been made in the construction of the said rail-road, and the company are using their utmost efforts to complete the same, it is expedient to grant the prayer of their petition; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. Notwithstanding anything in the one hundred and seventeenth section of the act known as the Railway Act

Notwithstand.  
sec. 117 of the  
railway act



and 27 V., c.  
58. extension  
of time for  
completion of  
railway.

and the non-completion of the said railway within the period limited by the act twenty-seventh Victoria, chapter fifty-eight, amending the said Stanstead, Shefford and Chambly railway act, the corporate existence and powers of the said company shall be held to have continued and shall continue in full force and effect; provided the said rail-road be finished and put in operation within five years after the passing of this act.

Change of day  
of holding  
general  
meeting.

2. Notwithstanding anything contained in the said act of incorporation, the next general meeting of shareholders of the said company, for the election of directors thereof, and for the transaction of the general business of the corporation shall be holden on the first Wednesday in November next after the passing of this act, and thence annually on the first Wednesday in November in each year thereafter; public notice of such annual general meeting and election to be given in the manner provided by the said act.

C A P. X X X V .

An Act to amend the Colonization Railway Aid Act of 1869.

[Assented to 1st February, 1870.]

**H**ER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Sec. 8 Colon-  
ization railway  
aid act of 1869  
amended.

1. The eighth section of the colonization railway aid act of 1869, is hereby amended, by substituting for the word "seventy" therein, the words "seventy-two," and for the words "seventy-three," the words "seventy-five."

Mont. North.  
Col. Railway  
entitled to aid  
although built  
of iron.

2. The Montreal Northern Colonization Railway Company shall be entitled, upon its conforming to the provisions of the said act, to the aid assured by the said act, notwithstanding that the whole, or any part of the road of the said company shall have been constructed in iron.

C A P. X X .

An Act to amend the Quebec Railway Act, 1869.

[Assented to 24th December, 1870.]

**H**ER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :



1. The Quebec Railway Act, 1869, is hereby amended by adding the following paragraph at the end of section fourteen of the said act :

" 22. Whenever, by the terms of any special act incorporating any wooden or iron railway company, it is required that a certain proportion of the stock of such company shall have been subscribed before the calling of a meeting of shareholders for the purpose of electing directors, it shall be sufficient that such proportion of stock shall have been subscribed before such election takes place, even though it was not subscribed when such meeting was called, and every election already had under any such special act shall be valid, provided that before it took place, such proportion of stock had been subscribed."

Sec. 14 of Quebec Railway Act, 1869, amended.

2. No mayor, warden or other chief officer, or other person or persons representing any municipality, or corporation of any city having or taking stock in any railway company shall, directly or indirectly, vote on the election or appointment of the directors of any railway company incorporated previous to the passing of this act, or which may hereafter become incorporated.

No mayor, &c., of municipality holding stock to vote at elections of directors.

C A P . X X I .

An Act to provide for the granting of certain lands in aid of the Railway Companies therein mentioned.

[Assented to 24th December, 1870.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. From and out of the public lands of this province certain lands hereinafter mentioned, forming a superficies of three million two hundred and eight thousand and five hundred acres, are hereby set apart for the purposes of this act, that is to say : all the lands described in the schedule to this act, under the designations of blocks A, B, C and D, and comprised within the four blocks or extents of territory colored in red and marked respectively A, B, C and D, upon a certain lithographed copy of a map of the province of Quebec, drawn at the crown lands department of this province, by Eugène Taché, assistant commissioner of crown lands, and dated Quebec, eighteen hundred and seventy, which lithographed copy is filed in the office of the clerk of the legislative council of this province, to remain of

3,208,500 acres of land set apart for the purposes of this act.

record for all the purposes of this act, and copies of which, in full, or on a reduced scale, certified by the said clerk shall be deemed authentic for all legal purposes.

200,000 acres  
of each land  
on certain  
conditions  
may be grant-  
ed to North  
Shore Railway  
Company.

2. The lieutenant-governor in council, may, subject to the provisions of the next following section, grant to the North Shore Railway and Saint Maurice Navigation and Land Company, now to be called the North Shore Railway Company, for building the north shore railway from Quebec to Montreal and the road to the Grandes Piles, and the establishment of a line of steamers on the St. Maurice, as mentioned in the act of the late province of Canada, intitled: "An act to incorporate the St. Maurice Railway and Navigation Company," two millions of acres of land, to be chosen and allotted by the lieutenant-governor in council on the report of the commissioner of crown lands, from within the said blocks A, B, C and D, in a corresponding proportion, as regards quantity and quality, to those granted under this act for the construction of a railway from Montreal to Aylmer.

Conditions on  
which grant  
may be made.

3. The company shall be entitled to such grant on the following conditions only:

1. The said railways shall have been completed and put in operation to the entire satisfaction of the lieutenant-governor in council, and steam navigation shall have been put into operation on the St. Maurice; but the lieutenant-governor in council, if he thinks proper, may nevertheless, when it is established that the said company is actively engaged in the construction of its works, grant to it, for each twenty-five miles of road completed, a portion of the said lands proportionate in extent to such length of road;

2. The lieutenant-governor in council shall have the appointment of one-third of the directors of the said company, without counting the *ex-officio* directors, or directors representing municipalities, and no city, town or municipality shall be represented in the said company by a greater number of directors than the lieutenant-governor in council.

Former grants  
&c., revoked.

4. All grants of land made to the said Company or to the St. Maurice Railway and Navigation Company by different acts passed by the parliament of the late province of Canada, and the assurance of aid given by the colonization railway aid act of 1869 for the construction of a wooden railway between Three Rivers and the Grandes Piles, are hereby revoked and repealed.

10,000 acres  
per mile may  
be granted on

5. The lieutenant-governor in council may, subject to the provisions of the next following section, grant to the

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Montreal Northern Colonization Railway Company for building a railway from Montreal to Aylmer upon the North Shore of the Ottawa, ten thousand acres of land for every mile of such railway, to be chosen and allotted by the lieutenant-governor in council, on the report of the Commissioner of Crown Lands, from within the said blocks A, B, C and D in a corresponding proportion, as regards quantity and quality to those granted, under this act for the construction of the North Shore Railway as aforesaid.

certain condi-  
tions to  
Montreal  
Northern  
Colonization  
Railway Com-  
pany,

6. The said Montreal Northern Colonization Railway Company shall be entitled to the said grant on the following conditions only :

Conditions on  
which grant  
may be made

1. The railway from Montreal to Aylmer shall have been completed and in operation ; but according as the company shall have completed twenty-five miles of the railway, the lieutenant-governor in council may, if he think proper, grant to it a proportionate quantity of the said lands at the reduced rate of five thousand acres for each mile completed within the section extending from Montreal to Grenville, and at a proportionately increased rate for every mile completed within the section between Grenville and Aylmer.

2. The said railway shall connect with the said North Shore Railway from Quebec to Montreal at such point as shall be determined by the lieutenant-governor in council ;

3. The lieutenant-governor in council shall have the appointment of one-third of the directors, of the company without counting the *ex-officio* directors or directors representing municipalities, and no city, town or municipality shall be represented in the company by a greater number of directors than the lieutenant-governor in council.

7. The Colonization Railway Aid Act of 1869 shall no longer apply to such portion of the said Montreal Northern Colonization Railway as shall form part of the route from Montreal to Aylmer.

Q., 32 V., c.  
52 not to apply  
to a certain  
portion of said  
railway.

8. The lieutenant-governor in council may, subject to the provisions of the next following section, grant to the Quebec and New Brunswick Railway Company ten thousand acres of land for every mile of its railway built between the frontier of this province and River du Loup, or Kamouraska, or any intermediate point between those two places, to be chosen and allotted by the lieutenant-governor in council on the report of the commissioner of crown lands, from within the townships of Packington, Bottsford and Robinson, and the territory adjoining the boundary line between this Province and New Brunswick to the east of the said Railway.

10,000 acres  
per mile may  
be granted to  
Quebec and  
New Brun-  
swick Railway  
Company, from  
certain town-  
ships.

Certain timber limits not to be comprised in lands granted.

9. All tracts of lands actually held under license for the cutting of timber, comprised within the boundaries of blocks B. C. D., described in the schedule to this act, as hereinbefore mentioned, shall be excepted therefrom, and a superficies corresponding to the deficiency created by such limits now in existence shall be set apart for the purposes of the said grant out of the unoccupied lands of the Crown in the nearest neighborhood to the said blocks B. C. D.

Conditions previous to making of the grant.

10. The said last mentioned company shall not be entitled to the said grant unless the said last mentioned railway shall have been completed and in operation as far as River du Loup or Kamouraska, or any intermediate point between those two places; but according as the company shall have completed twenty-five miles of railway, the lieutenant-governor in council may, if he think proper, grant to it a proportionate quantity of the said land.

Further conditions.

11. Any grant made to the said Quebec and New Brunswick railway company shall be made upon the condition that one-half of the lands so granted shall be conceded by the company to settlers who shall occupy and clear the same, the whole in conformity with such conditions and at such prices as shall be fixed by the lieutenant-governor in council, upon the report of the commissioner of crown lands; but such price shall not be less than one dollar for each acre.

Delay of sec. 2, of 32 V. c. 52, extended.

12. The delay mentioned in the second section of the colonization railway aid act of 1869, is hereby extended to the first day of July, one thousand eight hundred and seventy-five.

Said act to apply to St. Francis and Megantic International Railway Company.

13. The said colonization railway aid act of 1869, and the extension of delay mentioned in the preceding section, shall apply to the railway of the St. Francis and Megantic International railway company, incorporated by an act of the parliament of Canada, as fully and effectually as if the said railway had been originally included and named in the colonization railway aid act of 1869, but only for the length thereof which commences where the said railway leaves the line of the Grand Trunk Railway; and the said last mentioned act shall no longer apply to the St. Francis Valley and Kennebec railway.

Extension of the aid granted to Richelieu, Drummond & Arthabaska Railway Company.

14. The aid provided for in favor of the Richelieu, Drummond and Arthabaska Counties Railway Company by the colonization railway aid act of 1869, shall likewise apply and extend to any of the lines of railway mentioned in the act of the present session, intituled: "An Act to

amend the charter of the Richelieu, Drummond and Arthabaska Counties Railway Company," provided no such aid shall be paid or payable upon any greater length of road than shall be completed, nor be extended in any case to more than one hundred and fifty miles.

15. Iron rails may be laid instead of wooden rails on any of the railways mentioned in the said colonization railway aid act of 1869, without affecting the right of obtaining the aid thereby assured for the construction of such railway. Iron rails may be substituted for wooden rails without prejudicing aid.

16. The lieutenant-governor in council may reserve for himself and also for any railway company to whom he may grant the same, the right of taking, without compensation, upon any lands granted under this act, as much land as may be deemed necessary for the road-way and stations of any railway that may pass over the lands granted. Lands may be reserved for road-way and station of railways.

17. In case any one of the above named companies shall not have *bonâ fide* commenced to build its railway within two years from the first day of May next, it shall forfeit all claim to lands under this act. Railways to be commenced before 1st May, 1873.

18. Sections eleven and fifteen of the act incorporating the Quebec and New Brunswick Railway Company, that is to say, the act of the parliament of Canada, thirty-third Victoria, chapter fifty-six, including the schedule connected with the said section fifteen, are hereby, in so far as they relate to matters and subjects within the jurisdiction and control of the legislature of this province confirmed and enacted as fully and effectually as if the provisions thereof were herein enacted at full length and shall have effect notwithstanding article 2130 of the Civil Code. Sec. 11 and 15 of Canada, 33 V., c. 56, confirmed.

2130 Civil Code

## SCHEDULE.

### BLOCK A.

The territory included in this designation being situate in the county of Pontiac, at the western extremity of this province, and being traversed by the principal branch of the Ottawa river, and by that of the river called the Abitibi, is bounded as follows, that is to say:

Beginning at the point of intersection of the meridian of the mouth of the river Blanche, on lake Temiscauingue, with the rear line of the Indian reserve, situate between

such last mentioned river and lake des Quinze, at the point A, as set forth on the map hereinafore mentioned; thence prolonging such meridian line for a distance of 31 miles or thereabouts to the height of land separating the waters of the St. Lawrence from those of Hudson's Bay to B; thence following a line running north, 71° east, astronomically a distance of 64 miles, to C; thence in a true southerly direction, a distance of 60 miles to D, thence, following a western course, astronomically, a distance of 23 miles or thereabouts, to the intersection of the most southerly bay of lake Missizowaja, at the point E; thence skirting the eastern and northern shore of the said lake, and that of lake des Quinze, until opposite the point at which it discharges itself, by means of the river of the same name, at the place designated by the letter F; thence pursuing a course usually north, to G, to the stake planted by the Surveyor, Charles Bouchette, in 1854, to mark the north-east angle of the Indian reserve aforesaid; thence following the northern boundary of the said reserve, to its intersection with the meridian of the mouth of the river Blanche, to the point of departure at A, a distance of 15½ miles or thereabouts.

The said block A, comprising an extent of territory of 1,827,400 acres in superficies.

#### BLOCK B.

The territory so designated, including the island of Lake Edward, and watered by the river Batiscan and by the river known as the Pierre river, being situate partly in the county of Portneuf and partly in the county of Quebec, is bounded as follows, that is to say:

Beginning at the letter A on the said plan to the point of intersection of the line of survey drawn during the summer of 1870, by the Surveyor Ignace Déry, with the north bank of the river Pierre, from thence following such said line, so already established, for a course north 45° west, astronomically, to the river Batiscan, a distance of 10 miles and 35 chains, and pursuing in the same direction a distance of about 9 miles to the line of survey drawn by the Surveyor Eugène Casgrain and H. Legendre, in 1869, to the point B, from thence at a right angle following the said line of survey a distance of about 3 miles to D, to its junction with the south-western branch of the river Batiscan, known as the river Jeanotte, and ascending the left bank of the said river and following the windings thereof to its source in Lake Edward, and skirting the south shore of such lake to its eastern extremity, and ascending to its source (at the place marked D,) the little river which dis-

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charges itself at such place. From this point, the said block to be bounded towards the north by a line running true east about 2 miles to the point E, situate at 6 miles at right angles to the general course of the river Métabetchouan, then at the said distance following parallel thereto, in a south and south-westerly direction the course and windings of the said river to lake *aux Rognons*, and thence, by prolonging, at the said distance of six miles, a parallel line to the survey of the continuation of the Gosford road, fixed by the Surveyor E. Casgrain, to the point of meeting the river Pierre, at the point F, and descending the course of the said river, to its intersection with the line of survey of Mr. Déry, at the point of departure already mentioned.

The said Block B, comprising 319,440 acres.

#### BLOCK C.

Situate in the county of Montcalm, bounded as follows, that is to say ;

Beginning at a distance of 10 miles from the north-western angle of the Township of Doncaster on the division line between the counties of Argenteuil and Montcalm, at the north-western angle of the proposed Township of Archambault, at the point A on the said map, following the said line, and, in continuation, the line dividing the districts of Montreal and Ottawa, to its meeting with the principal branch of the *Rivière Rouge*, a distance of about 26 miles in B ; thence ascending the course of the said principal branch to a point of intersection with the line between the counties of Montcalm and Joliette, in C ; thence following such line on a course, astronomically south 45°. east, for a distance of 34½ miles to the north-east angle of the proposed Township of Lussier, to about ten miles from the north-east angle of that of Chilton, in D ; thence following the rear line of the said proposed township of Lussier and Archambault, a distance of 20 miles, to the point of departure in A.

The said Block C, comprising an area of 371,200 acres in superficies.

#### BLOCK D.

This extent of territory, situated on the eastern bank of the river St. Maurice, partly in the county of Champlain and partly in that of Chicoutimi, is bounded as follows, that is to say :

Beginning at the mouth of the *Grande Rivière Pierriche*, on the St. Maurice, about 10 chains from the 64th mile post planted by Surveyor Bignell in 1848, at the time

of his survey of the said last mentioned river, at the point A, on the said map ; thence, following the meridian of the mouth of the said *Grande Rivière Pierriche*, a distance of 37 miles to B, from such place, at right angles with the said meridian, on a course west astronomically, a distance of nearly 37 miles to the point of meeting the river St. Maurice, in C. Thence descending the left bank of the said river and following all its windings in a direction usually south and south-east, to the point of departure at the mouth of the said *Grande Rivière Pierriche*, at the place marked A, and already described.

The said block D, comprising an area of 685,466 acres in superficies.

C A P. X X I I .

An Act to extend the period for the completion of the works of the North Shore Railway and St. Maurice Navigation and Land Company.

[Assented to 24th December, 1870.]

Preamble.

**W**HEREAS, it is expedient to extend the period during which the North Shore Railway and St. Maurice Navigation and Land Company may complete their works ; and that the said company have by their petition to the legislature, prayed for such extension of time and for other provisions in their favor ; Therefore Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Extension of delay prescribed by 29, 30 V., c. 95, until 1st May, 1877.

**I.** Notwithstanding anything to the contrary in the act of the parliament of the late province of Canada, twentieth and thirtieth Victoria, chapter ninety-five, or in any other act or law, the said North Shore Railway and St. Maurice Navigation and Land Company may continue the construction of their railways and other works after the first day of January, in the year of our Lord one thousand eight hundred and seventy-two, by which day they were bound to complete the same under the said act ; but the said railways and works of the said company shall be completed on or before the first day of May, in the year of our Lord, one thousand eight hundred and seventy-seven, and the said act and the acts in any way relating to the said company, or to the North Shore Railway Company, or to the St. Maurice Railway and Navigation Company, in so far as they are not inconsistent with the present act, shall be and remain in force until the day last mentioned, as if the



said day had been fixed by the last mentioned act as that on or before which the said works should be completed, and as if all the provisions of such acts had been as they are hereby re-enacted by the legislature of this province, except that the said company abandons all claim to the public lands to which they might have had right in virtue of the said act in consideration of two million acres of other lands, which are given in the place of the old lands granted by an act passed during the present session of the legislature of this province on certain conditions therein stipulated, and intituled, "An Act to aid in the construction of certain lines of railways therein mentioned."

2. The original share books having been either lost or burnt, the company shall be bound, within the fifteen days following the passing of the present act, to open new share books in its offices, and to keep them open until the twelfth day of May, of the year one thousand eight hundred and seventy-one, and to re-open them on the twenty-second day of the said month and year, and to keep them open until the twelfth day of May of the following year, until four o'clock in the afternoon each day, and to continue so to do during every succeeding year until the capital stock of the said company shall have been fully subscribed.

3. The original shareholders, establishing their titles as such, shall before the first day of March next, in order to continue so to be, inscribe their names in the new books, and shall receive credit for their paid-up instalments, both in so far as regards their right to vote at the election of directors as their payment of the instalments required from time to time by the company to be paid up by subscribers for the purposes of the enterprise.

4. All shares, which may have been taken by individuals, and upon which no instalments have yet been paid, are cancelled as if they had never been subscribed; and from the date of the passing of the present act, the new share books hereinbefore mentioned shall be the only share books of the said company.

5. The said company may raise by way of loan upon their bonds or debentures in addition to such authorized capital stock which shall be of six millions of dollars, any sum of money not exceeding the amount of their capital, subject to the forms and provisions of the eleventh subsection of the ninth clause of the "railway act" contained in the consolidated statutes of Canada, chapter sixty-six,

Now share-books to be opened and kept open for a certain period every year.  
Original shareholders to inscribe their names on new books, and receive credit for former payments.  
Former shares- on which nothing has been paid, cancelled.  
Company may raise money upon debentures, subject to § 11, of sec. 9, of C. S. L. c. 66, and said § shall apply to municipal debentures.

which shall apply to such loan ; and the said sub-section shall apply as far as may be to the bonds and debentures of all city, town, village, parish or county municipalities, subscribing to the stock of such company or aiding the same, anything in their special acts to the contrary notwithstanding, which municipalities may, in addition to their rate of interest, provide such sinking fund for the redemption of their said bonds and debentures, as such corporation may deem advisable.

Time of election of directors.

6. The election of the directors of the said company, in future, shall be held at noon, on the twentieth day of May in each year, at the office of the company, in the city of Quebec.

Of whom board of directors shall be composed.

7. From and after the twentieth day of May, one thousand eight hundred and seventy-one, inclusively, the board of directors of the company shall be composed of twelve members, in addition to the representatives of the municipalities entitled to form part thereof. Of these twelve members, four shall be named by the lieutenant-governor in council, eight only in future to be elected by the shareholders : but until the twentieth day of May, one thousand eight hundred and seventy-one, the said board shall consist of the present directors, the four members named by the lieutenant-governor, and the representatives of the municipalities as already stated. Until the next election of directors, the board shall not have power to fill vacancies among the directors elected.

Who may be directors after 20th May, 1871.

8. From and after the twentieth day of May, one thousand eight hundred and seventy-one, inclusively, no person shall be elected as a director of the said company, without his having subscribed at least one thousand dollars to the capital stock, and paid up all the instalments then due.

Who may vote to elect directors.

9. No person shall be entitled to vote at the next election of directors unless he has paid up at least ten per cent on the amount of his shares.

Election of former directors confirmed.

10. The board of directors of the said company, as constituted from the formation of the said company up to the present time, is hereby declared to have been legally elected and chosen and to have had lawful power and authority for the discharge of their functions.

Meeting of directors.

11. Until such time as it shall have been otherwise decided by a by-law adopted by the board of directors, the regular meetings of the said board shall be held every second Thursday in each month.

12. The expenses incurred by the said company and the obligations which it may have contracted up to the passing of this act, and which may be lawfully due, shall be the first charge thereupon. Expenses already incurred to be a first charge.

Whereas, in the year one thousand eight hundred and fifty-three, the council of the municipality of the county of Saint Maurice did, by a by-law, which was subsequently regularly approved by the municipal electors of the said county, subscribe a sum of two hundred thousand dollars to the capital stock of the "North Shore Railway Company," since called the "North Shore Railway and St. Maurice Navigation and Land Company,"—whereas, afterwards the legislature did divide the said county of Saint Maurice into two new counties, bearing respectively the names of "county of Saint Maurice and county of Maskinongé," without determining the proportion of the said subscription to be borne by each of the said two counties, and the mode of giving effect thereto,—and whereas, it is important to determine the same in the interest of the said counties and for the speedy execution of the enterprise which it is intended to aid :—

13. Therefore, it is hereby enacted that the said counties of Saint Maurice and Maskinongé, shall, out of the said sum of two hundred thousand dollars subscribed in the said year one thousand eight hundred and fifty-three, by the said heretofore county of Saint Maurice, in favor of the said North Shore Railway Company, subsequently called the North Shore Railway and Saint Maurice Navigation and Land Company, be considered to have and have each respectively subscribed one hundred thousand dollars to the capital stock of the said "North Shore Railway and Saint Maurice Navigation and Land Company ;" and that such subscription has, with regard to each of the said counties, precisely the same effects in every respect, and subjects the said counties respectively towards the said company to the same obligations in regard to their respective shares of the said subscription, as if the said by-law had been passed by the county municipal council of each of the said two counties respectively, but each of the county municipal councils of the said two counties may, as regards the county it represents and its share of the said subscription, impose upon the said company such conditions as it shall deem proper to make in resolutions by it adopted. If these conditions be not accepted by the said company, the county imposing them shall be discharged from the obligation arising out of its share of the said subscription ; and such resolutions, being accepted by the said company shall, without any other formality, have force of

\$20,000 stock subscribed by former county of St. Maurice divided between present counties of St. Maurice and Maskinongé.

said counties may impose conditions, but shall be bound if these are accepted.

Preamble.

law and shall bind the said county towards the said company in the same manner as if such conditions had been stipulated in the present act.

Width of gauge.

14. The gauge of the said railway may not be narrower than four feet, eight inches and one half.

C. S. C., c. 66,  
to apply to  
this act.

15. The provisions of the " Railway Act, " contained in the consolidated statutes of Canada, shall apply to the present act, except in so far as the special provisions of this act may be inconsistent therewith.

Preamble.

Whereas, on the fourth day of October, one thousand eight hundred and seventy, the council of the city of Quebec did resolve to subscribe, in the name of the corporation of the said city, a sum of one million of dollars to the stock of the North Shore Railway, and St. Maurice Navigation and Land Company, subject to the conditions that the said council might judge proper to impose on the said company ; and whereas, on the twenty-eighth day of the said month, in the said year, the said council did, in regard to the said subscription of one million of dollars, impose on the said company the conditions following, to wit :

1. That the amount subscribed be paid by permanent consolidated stock certificates bearing seven per cent interest ;
2. That an act be obtained from the provincial legislature, authorising the issue of the said stock and granting power to impose a rate to provide for the payment of the interest on the said amount. Proprietors to be responsible for the said tax with power to collect one half of the same from the tenants as at present ;
3. Liability of the corporation to be limited to amount subscribed ;
4. That in case the company find it advantageous to begin the road with subscribed stock, as being the most immediately available means, so as to give value to their bonds on the lands or on the road, the stock to be issued by the corporation shall be *pro rata* as the work progresses and in proportion to the whole subscribed stock, on certificates of the engineer to be named by themselves ; but if the company finds it possible to obtain a contract by which their bonds are given in part payment simultaneously with the stock subscribed, then the corporation shall issue their stock as the work progresses *pro rata* to the total cost of the road ;

The stock to be issued by the corporation also as the work progresses *pro rata* to the whole cost of the road, in case legislation should give a substitute for the lands to the company ;

5. The company, either by themselves or the contractor, to pay the interest on the stock, of the corporation to the date of the opening of the road between Montreal and Quebec, and the running of the first through train between those two cities ;

6. In the event of the company or the contractor neglecting to pay the interest on the corporation stock issued, as it becomes due, the corporation shall have a right to cease to issue bonds in favor of the company ;

7. That the bonds to be issued by the company on the security of the road and lands be at a not less date than twenty years, and that on no consideration shall the bondholders have the power to assume possession or management of the road or lands ;

8. The chief terminus of the city of Quebec to be in St. Peter's Ward ;

9. The municipal office of the company to be in the city of Quebec, where its meetings shall be also held ;

10. The corporation to be represented at the board of directors by the mayor and three other members appointed by the council ; and that no contract shall be entered into with one or more contractors for the building of the road, or its appurtenances, until the four members to represent the city council of the city of Quebec do legally form part of the direction of the said board ;

11. That the corporation shall be entitled to be credited with stock representing the amount of fifty thousand dollars already paid by them, over and above the one million dollars ;

12. That the work of the construction of the road shall commence in the city of Quebec, and shall uninterruptedly continue until completed ;

13. That no bonds of the corporation in favor of the company shall be issued, and no contract for the building of the road be made, until the company have obtained subscriptions to its capital stock to the amount of at least two million dollars, including that of the corporation of Quebec ; and, in the event of the provincial legislature allowing a substitute, for the 2,700,000 acres of land secured by law to the said company, that the said substitute, in provincial securities or bonds, shall amount to at least two million dollars.

14. Therefore it is enacted, that the said corporation of Corporation of the city of Quebec, to this end is hereby authorized to subscribe may subscribe \$1,000,000 stock in the stock of the said North Shore Railway and St. Maurice Navigation and Land company, pursuant to, and in accordance with the above conditions.

dance with the said resolutions of the said city council, hereinbefore cited, of the said fourth day of October, one thousand eight hundred and seventy, and pursuant to the conditions thereto attached, which said conditions shall, in consequence, become and be binding upon the said company, and shall be considered as forming part of the present act. But the above conditions on which the city council of the city of Quebec is so authorized to subscribe the said one million of dollars, in favor of the North Shore Railway Company may be, at any time changed or modified with the joint consent of the said company and the said city council.

Corporation may create a fund to meet payment of shares subscribed.

17. And be it also enacted, that to meet the payment of the amount of shares so subscribed by the said corporation of the city of Quebec, to the aforesaid amount of one million of dollars in the said stock of the said North Shore Railway and St. Maurice Navigation and Land Company, a fund to the like amount of one million of dollars, current money of this province, is hereby established for the city of Quebec, to be known as "the city of Quebec fund for the North Shore Railway and St. Maurice Navigation and Land Company," which said fund shall consist of permanent and irredeemable stock certificates of not less than five hundred dollars each, and bearing seven per cent interest.

Corporation may issue stock certificates for the amount.

18. And be it also enacted, that the said corporation is hereby authorized to issue, whenever required, the said permanent and irredeemable stock certificates to the amount aforesaid of one million dollars, the said stock certificates to be signed by the mayor of the said city of Quebec, and countersigned by the treasurer of the said city, and sealed with the seal of the said city, which said certificates may be in the form of schedule A, appended to the present act.

Company to be paid with said stock certificates.

19. And be it also enacted, that the said sum of one million of dollars, to be so subscribed by the said corporation of the city of Quebec, for shares to the amount aforesaid in the stock of the said North Shore Railway and St. Maurice Navigation and Land Company shall be paid to the said company by the said corporation of the city of Quebec, with the said permanent and irredeemable stock certificates of the said "city of Quebec fund for the North Shore Railway and St. Maurice Navigation and Land Company," and not otherwise, the said fund to this end being established as hereabove mentioned.

Corporation may impose a

20. And be it also enacted that, to meet the payment of

the interest on the amount of one million of dollars so to be subscribed for shares in the said stock of the said North Shore Railway and St. Maurice Navigation and Land Company, as aforesaid, the said corporation of the city of Quebec is hereby authorized to impose and levy, whenever required upon the whole then assessable real property of the said city, a special rate of so many cents in the dollar, as shall be required, until the said interest shall be fully paid and discharged, the said rate to be paid in equal proportions by the proprietor and tenant, unless the said real property be occupied by the proprietor himself, in which case such rate shall be paid by the proprietor or person in possession as proprietor as aforesaid, to recover one half of the said rate from the tenant or occupant of the said real property, as it is now the case for the other taxes imposed in the said city of Quebec, by suit in the recorder's court.

special rate to meet interest on amount subscribed rate to be borne by owners and by tenants.

21. And be it also enacted, that the said rate for the payment of the said interest shall be imposed at any time that it shall be so ordered by the said council of the city of Quebec, by being entered in a separate book by the assessors of the said city of Quebec or by any one of them, the said book to be called "book of interest of the North Shore Railway and St. Maurice Navigation and Land Company," or in a separate column in the assessment books of the said city of Quebec, in the like manner as the other assessments on real property in the said city of Quebec, and shall be levied by the same process and in the same way, and without any other formalities, and without it being necessary for the said council of the said city of Quebec to make any by-law to that effect. The said rate to be imposed on the annual assessed value of each and every real property within the said city of Quebec, which said value shall be estimated according to that set upon real property in the assessment books of the said city for the then current year, when the said rate shall be so imposed.

Said rate may be imposed without any by-law upon the annual assessed value of real property.

22. And it is also enacted, that as soon as the city council of the city of Quebec shall have subscribed, as aforesaid, to the capital stock of the said North Shore Railway Company, then, besides the mayor of the said city of Quebec who shall be *ex-officio* a member of the board of the directors of the said company, the council of the city of Quebec shall have the right to appoint three other persons who shall be also members of the said board of directors.

Corporation after subscribing may appoint three directors besides the mayor.

23. The name of the said company shall be the "North Shore Railway Company."

Name of the company.

## SCHEDULE A.

City of Quebec fund for the North Shore Railway and  
St. Maurice Navigation and Land Company.

City Hall,

Quebec,

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Certificate No.

This is to certify that

of  
at the date hereof, is the registered owner, in the books of  
the corporation of the city of Quebec, of  
shares of

each, in all amounting to dollars  
dollars,  
of the city of Quebec fund for the North Shore Railway and  
St. Maurice Navigation and Land Company, (as detailed in  
the margin hereof,) established under the authority of the  
act of the legislature of Quebec, in the dominion of Canada,  
passed on the twenty-fourth day of December, 1870, intitled : "An Act to extend the period for the completion of  
the works of the North Shore Railway and St Maurice  
Navigation and Land Company."

Upon the amount of shares in the said permanent stock  
standing registered to the credit of the owners thereof in  
the books of the corporation of the city of Quebec as afore-  
said, the corporation of the city of Quebec will pay interest  
semi-annually, at the rate of seven per cent per annum, on  
the first day of January and July in each year.

Sealed with the seal of the corporation of the said city  
of Quebec, signed by the mayor, countersigned by the  
city clerk, and registered in the books of the said corpora-  
tion by the city treasurer of the said city, this day  
of 18

L. S.

City Clerk.

Mayor.

Registered book

Folio,  
City Treasurer.

## CAP. XXIII.

An Act to grant additional powers to the Montreal Northern  
Colonization Railway Company and for other purposes.

[Assented to 24<sup>th</sup> December, 1870.]

**W**HEREAS, it is expedient to grant additional powers  
to the Montreal Northern Colonization Railway



Company ; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. The said Montreal Northern Colonization Railway Company shall have power to extend their line of railway from Grenville to Deep River, or "*Chenail culbute*," on the Ottawa River, in the province of Quebec, and from any point on their line within the limits of the city of Montreal, to Point St. Charles or the Bonaventure Depot, and at the eastern end of said city, the whole subject to the conditions and with the privileges and rights established and stipulated by the Act incorporating the said company for the original line of said railway, save only as regards their claim for a subsidy. Provided always, that the aforesaid proposed communications to be made within the limits of the city of Montreal to Point St. Charles or Bonaventure Depot, shall not be commenced until a map or plan and survey of the line and extent of such communications shall be laid before the council of the corporation of Montreal, and the sanction and approval of such council and the board of directors of the Grand Trunk Company of Canada be first had and obtained.

Power to continue the railway from Grenville to Deep River.

2. The capital of said company shall be ten millions of dollars.

Capital.

3. Should such course be deemed necessary to facilitate the negociation of bonds or debentures issued or due by the said company, the shareholders of said company shall at all times, by a by-law, passed at a meeting duly convened for that purpose, have power to decide that if at any time the bonds or debentures issued by the said company, or the interest-coupons, or any of them, become due and are not paid in a certain delay after maturity, the period of such delay to be set forth in said by-law, the right to vote conferred on shareholders of the said company shall then cease, and that subsequently holders of bonds or debentures due and payable by the said company, shall have the right to vote at all the meetings of the said company, and shall also enjoy all the other powers conferred on the shareholders of said company by their act of incorporation or by the Quebec railway act of 1869, in the place and stead of shareholders, and that the bond or debenture holders shall also have the right to vote in proportion to the amount of bonds or debentures held by each, in the manner prescribed by said by-law ; and to provide for the restoration of the right to vote to shareholders and for depriving bondholders of the said right to vote, as the shareholders of said company may think proper ; and such by-law shall neither

Power to pass by-laws authorizing bond-holders to vote in place of share-holders, in case of non-payment of bonds or interest.

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be revoked nor modified without the consent of all holders of the company's bonds negotiated subsequently to the passing of said by-law

Registration of bonds not necessary.

4. It shall not be necessary, for securing to their bonds or debentures priority over the said road, its rolling stock, properties and revenues, according to the respective dates of their issue, to register said bonds or debentures issued by the said company in virtue of the powers conferred on them notwithstanding article 2130 of the civil code.

Debentures to constitute a general mortgage on the lands of the Company.

Provision when these lands are sold and the purchase money paid.

5. All debentures issued by the said company shall constitute a general mortgage on the lands which may in future be granted to the said company issuing such debentures, provided the said lands be mentioned or indicated in general terms as subject to such mortgage; but the payment made by any *bonâ fide* purchaser of any of the said lands, of the purchase-money to the treasurer of the company, or to any other person appointed for that purpose, and the receipt given for the payment of such purchase-money by the treasurer or other person named on behalf of such debenture holders, shall discharge all lands thus paid for from any such mortgage; and until otherwise ordered by said company, in virtue of the powers conferred on them by the present act, with reference to the reception of such moneys, the treasurer of the said company is hereby authorized to receive such purchase-money on behalf of the holders of such debentures, and shall keep all moneys so received apart from the ordinary receipts of the said company, and he shall be responsible for the same as special trustee, until said moneys be disposed of in the manner hereinafter provided.

Investment of moneys.

The moneys thus received by the treasurer of the said company shall, from time to time, be invested in Government securities, or shares of any solvent chartered bank doing business in Canada, for the purpose of forming a fund for the payment of the interest on such debentures as it becomes due, and for redeeming those debentures at maturity.

Holders of debentures to elect three trustees and directors to name three others to manage lands, &c.

6. The holders of the debentures of the said company, having hypothec on said lands, shall have the right to elect from among themselves three trustees, which election shall be made by such holders of debentures at a meeting of such holders called for the purpose in the same manner as is provided by the act incorporating the company for special meetings of the shareholders thereof: and may be made by a majority in amount of such holders present at such meeting either in person or by proxy; and the directors.

shall name three of their number to constitute with the said trustees a board of six trustees, and such trustees shall have the control, management, disposition and direction of the lands represented by the holders of the debentures, or in which they have any interest; and may sell and dispose of such lands and collect and receive the proceeds thereof, as they may see fit, and for that purpose may appoint an agent or agents and have an office or offices either in Canada or elsewhere, and on realizing the proceeds of the said lands or any of them, may divide the proceeds among such holders or invest the same for the benefit of such holders, and otherwise manage and administer such lands in such manner as may be prescribed by such holders, by resolution or by-law passed at a meeting thereof, called and held in the manner hereinbefore provided for the election of such trustees; provided always, that the proceeds, after payment of expenses of management to be audited and approved by the directors of the company, of the sale of any such lands on being received by the said trustees or their agent in that behalf, shall *pro tanto* extinguish such debentures after the extinction thereby of the interest thereon then overdue.

7. The directors elected by the shareholders shall be eleven in number, exclusive of *ex-officio* directors, but the company shall have power, by a resolution adopted by a majority of the shareholders thereof at a general meeting, to diminish from time to time the number of directors of the said company. But the quorum of the board of directors shall always remain five.

8. The fourteenth section of the act of the legislature of this province thirty-second Victoria, chapter fifty-five, is hereby amended by striking out all the words in the said section after the word "appointed."

9. If at any time the said company shall agree with any other railway company for the construction of any part of the said line of railway, such agreement may be submitted to the lieutenant-governor in council, and if approved shall become binding on the parties thereto, and upon such approval the proportion of any land grant from the government of this province which may be applicable to such portion of the said line, shall enure to the benefit of the company actually constructing the same, upon the conditions contained in such agreement.

10. The nineteenth section of the act of the legislature of this province thirty-second Victoria, chapter fifty-five, is hereby repealed.

## CAP. XXIV.

An Act to authorize the Quebec and Gosford Railway Company to prolong their railway to Lake St. John

[Assented to 24th December, 1870.]

## Preamble.

WHEREAS, Henry Gustave Joly, Henry Fry, Edmund C. Fry, Donald Cameron Thomson, Michael William Baby, Weston Hunt, John Lemesurier, Eugène Chinic, Jean-Baptiste Renaud, Eloi Beaudet, John Sherring Budden, Théophile Ledroit, James H. Oakes, John James Rickon, Jerome B. Hulbert, and Charles Edward Montizambert, all of the city of Quebec, Esquires, and others, have, by their petition represented that a railroad has just been built and opened by the Quebec and Gosford Railway Company, from the city of Quebec to the township of Gosford, and that the prolongation of that road to Lake St. John, would be a matter of very great public benefit, and have prayed that a bill may be passed, allowing the Quebec and Gosford Railway Company to extend their line of railroad to some point on Lake St. John, following the easiest and most practicable road, with all the rights and privileges, and subject to all the conditions granted and imposed by the Quebec Railway Act, 1869, and the act incorporating the said company, except in so far as provided by the bill prayed for by the said petitioners,—allowing the said company until the end of the year one thousand eight hundred and seventy-six to complete the said road, with the privilege of building the line in three or more sections, and running the sections as they become completed, and authorizing the said company to increase its capital stock for the purpose of that extension, and to assume the name of the Quebec and Lake Saint John Railway Company; and further, amending the act incorporating the said company, by allowing the said company to bring its railroad and run its locomotives within the limits of the city of Quebec; and whereas, it is desirable that the prayer of the said petition should be granted; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Name of Company to be changed.

1. The name of the body corporate and politic constituted by the act passed in the thirty-second year of Her Majesty's reign, chapter fifty-three, hereinafter called the company, shall be "The Quebec and Lake Saint John Railway company," from and after the day on which this act shall come into force and effect, as hereinafter provided.

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2. The company and their agents and servants, and other persons in their employ, may lay out, construct and work a double or single track, wooden or iron tramway or railway, of such width or gauge as the company see fit, from the present terminus of their railway in the township of Gosford, by such route as they see fit, to such point on the shore of Lake Saint John as they see fit; and the company may construct the said tramway or railway in three or more sections, in such order as they see fit; and may work any one or more of such sections as soon as completed, subject always to the provisions of the twenty-fifth and four following sections of the Quebec Railway Act, 1869.

Company may  
prolong their  
Railway to  
Lake St. John.

3. The capital stock of the company is hereby increased from the original sum of one hundred and twenty thousand dollars to the sum of nine hundred and fifty thousand dollars, divided into ninety-five thousand shares of ten dollars each, which amount shall be raised by the persons named in the said act, and such other persons and such corporations and municipalities as have or may become holders of shares in the company, by subscribing to the stock thereof; and the money so raised after this act shall come into force and effect shall be applied in the first place to the payment of all fees, expenses and disbursements for procuring the passing of this act, and for making the surveys, plans and estimates connected with the said extension of the said railway, and all the rest and residue of such money shall be applied towards making, completing, maintaining and working the whole of the railway from Quebec to Lake Saint John, and other the purposes of the said act thirty-second Victoria, chapter fifty-three, and of this act.

Capital stock  
may be raised  
to \$950,000.

4. The whole of the said railway from Quebec to Lake Saint John shall be completed on or before the thirty-first day of December, which will be in the year of our Lord one thousand eight hundred and seventy-six, in default of which this act shall become null and void to all intents and purposes whatsoever from that day forth.

Railway to  
Lake St. John  
to be com-  
pleted by 31st  
Dec., 1876.

5. The company may, from time to time, purchase, hold, take and receive, use and enjoy any immovable property not exceeding in the whole ten thousand acres, along the line of so much of their said railway as shall extend from the township of Gosford to Lake St. John, or in the vicinity thereof, or separated therefrom, and if separated therefrom, then with the necessary right of way thereto, which it may please Her Majesty or any person or corporation to give, grant, sell or convey unto and to the use of the said company; and the said company may cut wood, and

Power to pur-  
chase lands,  
&c., &c.

dig earth, gravel and stones on any such land, either for their own use in the construction and keeping in order and working of so much of their railway or for sale, and may establish stations, sidings, branches, workshops, woodyards, and gravel pits on any such lands, and may sell fire-wood or timber cut on such lands, and may from time to time sell and dispose of any such lands not required or necessary to be retained for gravel pits, sidings, branches, woodyards, station grounds or workshops, or for other purposes of the said company, and may acquire other in their stead.

Section 12 of  
32 Vict. c. 53,  
amended.

6. The exception relating to locomotives in section twelve of the act of incorporation of the company, is hereby repealed so far as respects that portion of the track of the Quebec Street Railway Company, which extends from the western boundary of the city to opposite the Palais Harbour; and if so agreed between the companies, locomotives may run on so much of the track of the Quebec Street Railway Company, the consent to that effect of the corporation of the city of Quebec, acting by and through the city council of Quebec, who are hereby authorized and empowered to give such consent, being first had and obtained.

Act of 32 Vict.  
c. 53, to apply  
to extension  
of Railway.

7. Subject to all the foregoing provisions of this act all those of the said act thirty-second Victoria, chapter fifty-three, incorporating the said company, with all the powers duties and obligations thereby conferred and imposed shall apply to the railway hereby authorized to be laid out, constructed and worked by the said company, and to all rivers lying along the route thereof, and to all wild lands of the Crown lying along the route thereof, and to the said company and to the Provincial Government, and to all persons and corporations in relation to the said railway, rivers and wild lands of the Crown, and to the capital stock hereby authorized to be raised and the shares thereof, and to the shareholders and all other in relation thereto, as fully and effectually to all intents and purposes as the same apply to the railway by the said act authorized to be laid out, constructed and worked, and to all rivers in the course thereof, and to all wild lands of the Crown lying along the route thereof, and to all such parties as aforesaid in relation thereto, and to the capital stock thereby authorized to be raised and to the shares thereof, and to the shareholders and all others in relation thereto, in the same manner and to the same extent as if the whole railway from Quebec to Lake Saint John, instead of only a portion thereof, were thereby authorized to be laid out, constructed and worked, the said act and this act being to be read and construed as one act, and as one special act, within the true intent and meaning of the Quebec Railway Act, 1869,

8. This act shall come into force and effect only upon, Commence-  
ment of Act. from and after the day upon which it is accepted by a vote of the shareholders of the company representing at least two-thirds of the shares, present in person or by proxy at a meeting of the shareholders to be held at the city of Quebec, after the notice required for calling any special general meeting of the company, the object of the meeting having been specially set forth in such notice.

## CAP. XXV.

An Act to amend the Charter of the Richelieu, Drummond and Arthabaska Counties Railway Company.

[Assented to 24th December, 1870.]

**W**HEREAS, the Richelieu, Drummond and Arthabaska Preamble. Counties Railway Company have prayed for amendments of their Charter in the particulars hereinafter set forth, and it is expedient to grant their prayer; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. The following clerical errors in said charter of the Secs. 1, 9 and  
19 of 32 V. c.  
56, amended. Richelieu, Drummond and Arthabaska Counties Railway Company are hereby amended, that is to say, by substituting in the English version thereof the words "one other Director" in the place and stead of "one of such Directors" in the nineteenth line of the ninth section of their act of incorporation, and the word "immovable" in the place of the word "movable" in the second line of the nineteenth section of said act: and in the French version by substituting the words "à lisses" in the place of the words "defer" in the nineteenth line of the first section of said act, and the words "un autre Directeur" in the place of "un des dits Directeurs" in the twentieth line of the ninth section of said act.

2. The election and constitution of the present Board of Election of  
present direc-  
tors declared  
valid. Directors of the said Company is hereby declared to have been and to be good and valid, notwithstanding that certain municipalities that have subscribed ten thousand dollars and upwards took part therein either by voting on their subscribed stock, or by nominating an additional director to represent them in such board previous to the correction of the aforesaid errors.



Branch line to village of l'Avenir may be extended; and connection may be made with S. E. Counties Junction Railway.

3. The company may, should they find it expedient so to do, continue the branch line which they have contracted to construct to the village of l'Avenir, in the county of Drummond, so as to connect the same with the Grand Trunk Railway in the county of Richmond, passing on such side of the River St. Francis as may be thought most desirable, and, if necessary, acquire and hold the road on the banks of the said River St. Francis known as the Slate Quarry Railway; and may also if they think fit, lay out, construct and finish as a part of their main line a wooden or iron railway from the point of their junction with the line of the Grand Trunk Railway at or near the Acton station, passing by Roxton and Waterloo, in the county of Shefford, and Knowlton, in the county of Brome, to connect with the South Eastern Counties Junction Railway.

Sec. 3 of 32 V., c. 56, amended.

4. Section three of said charter is hereby amended by substituting for the word "fifteen" in said section, the words "twenty-five;" by adding the words "such branches to be held and considered to all intents as a portion of their main line; but all agreements made or to be made between the company and any municipality touching the employment in whole or in part, upon or for any branch or section of the main line, of any money or debentures subscribed for stock or otherwise granted by such municipality, and all municipal subscription of stock conditional or otherwise, and all municipal by-laws relative thereto shall nevertheless be and remain to all intents valid and binding," after the word "thereof" in the nineteenth line of said section; and also, by striking out all the words after the word "directors" in the twenty-first line thereof.

Company may adapt bridges to passage of horses, &c., and take tolls.

5. The company may adapt all or any of the bridges constructed for the purposes of their railway, to the passage of horses, vehicles and foot passengers; and may take, receive and exact such rates of toll upon all horses, animals, vehicles and foot passengers passing on or over such bridge so adapted to the passage thereof, as by the lieutenant-governor in council shall, from time to time, be fixed and allowed, or as is otherwise allowed by this act.

After approval by railway committee following tolls may be levied.

6. So soon as the company shall have constructed railway bridges over the rivers Yamaska and St. Francis respectively, adapted for the passage of horses, vehicles and foot passengers in virtue of the preceding section, and the same have been duly approved by the railway committee, the said company may demand, receive and exact, for their own use and benefit, of and from each person making use



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1870. *Richelieu, Drummond & Arthabaska R.R.* Cap. 25.

of said bridges as a toll for the passing thereof, sums not exceeding the following several rates, that is to say :

For every person on foot.....	\$ 0 02
For every two wheeled vehicle drawn by one horse or ox.....	0 08
For every four wheeled vehicle drawn by one horse or ox.....	0 10
For every four wheeled vehicle drawn by two horses or oxen.....	0 15
For every additional horse or ox.....	0 05
For every horse and rider.....	0 06
For every horse, mule, cow or head of.... cattle.....	0 03
For every sheep, calf or pig.....	0 02

7. Any person who shall pass through the toll gates or over or upon any of the bridges of the company so adapted as aforesaid for the passage of foot passengers and vehicles without paying the toll that the company may be entitled to demand by virtue of this act and against their consent, or who shall at any time drive faster than a walk on the said bridges, shall incur a penalty not exceeding five dollars currency, or be imprisoned for a period not exceeding ten days in the common gaol of the district within which such offence may have been committed.

8. Any municipality which shall have authorized or shall hereafter authorize by any by-law duly sanctioned by the lieutenant-governor, the issue of debentures for the purpose of raising money to aid the said company under the provisions of chapter twenty-five of the consolidated statutes of Lower Canada may, provided the same be not already issued, if the lender consent or require it, deposit in the hands of such lender or his assigns the annual sums which shall have been agreed upon to form the sinking fund, instead of investing the same in the manner provided by said last mentioned act; in which case, such municipality shall not be responsible for the redemption of such debentures at the expiration of the stipulated delay, but the same shall be held to be fully paid and satisfied by the payment of the annual amount of interest and sinking fund specified in such by-law, and this notwithstanding that other provision had been made therein for the payment of such debentures; provided that such changes are made in the form of such debentures and the coupons thereto attached so as to express upon the face of them such manner of payment, before the issuing thereof; and in all cases where such debentures have already been issued in the manner

Penalty for  
passing with-  
out paying  
toll.

Municipalities  
who have  
issued debentures in aid  
of the company  
may pay  
over the an-  
nual sums  
forming the  
sinking fund  
instead of in-  
vesting them.

Debentures  
already issued  
may be ex-

changed for others to conform with this section.

Responsibility of municipality in such case

and form contemplated by said chapter twenty-five, the holders thereof may at any time, with the consent of the municipal council that issued the same, exchange such debentures for a like value of other debentures whereby it is stipulated that the sinking fund may be paid to such holder as aforesaid; and in such case, the municipality so exchanging, shall be relieved from redeeming the same at the expiration of the stipulated delay, and shall merely be bound to pay over to the holder of said debentures the annual amount of interest and sinking fund; anything to the contrary in the by-law notwithstanding.

If county municipality grant aid, any aid already granted by a local municipality in such county may be taken as a proportionate part of the county aid.

9. In the event of any county municipality passing a by-law to aid the construction of the said railway after any of the local municipalities within the limits of such county have already contributed for a like purpose, it shall be lawful to declare in such by-law, that such local aid be considered, held and taken, to the extent of the relative proportion of each of the said local municipalities that may have subscribed a part of the amount voted by such by-law; and in such case the aid to be given and debentures to be issued by such counties shall only be for the balance, after deduction of the said local aids, and an amount proportionate to such local aids shall be deducted from the portion of the tax to be levied under the by-law for which each such local municipality respectively would be liable if such local aid had not been made; but it shall be lawful for the said local municipalities to exchange their debentures for a like amount of county debentures to be issued for that purpose in excess of the above mentioned balance, or for the holders thereof to exchange the same in like manner, and from such time no deduction shall be made from the portion of the tax of such local municipalities, and in the case of such exchange the said local municipalities may obtain the cancellation and remission of their debentures by transferring their stock to the said company for a like amount to such county municipality.

This act to form part of 32 V., c. 56.

10. Subject always to the provisions of any act of this session in respect of provincial subsidy, this act shall be construed and applied to all intents as forming part of the act passed in the thirty-second year of Her Majesty's reign, intituled: "An Act to incorporate the Richelieu, Drummond and Arthabaska Counties Railway Company," hereby amended; and the expression, "the charter of the Richelieu, Drummond, and Arthabaska Counties Railway Company" shall constitute a sufficient citation, as well of this act as of the said act hereby amended.

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CAP. XXVI.

An Act to incorporate the Missisquoi and Black Rivers Valley Railway Company.

[Assented to 24th December, 1870.]

**W**HEREAS, certain persons hereinafter mentioned, have <sup>Proposed.</sup> petitioned the legislature for an act of incorporation to construct an iron or wooden railroad from Potton, a township in the county of Brome, through the counties and part of the counties of Brome, Shefford and Richmond, to or near Durham station or Richmond station on the Grand Trunk Railway line; and whereas it is expedient to grant the prayer of the said petition; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. The honorable Lucius S. Huntington, honorable James Ferrier, Ralph Merry, William Hoste Webbe, M. P., John H. Graham, L.L.D., J. Picard, M.P.P., Michel A. Bessette, M.P.P., John W. Taylor, L. A. Perkins, James Manson, John McManus, Benjamin M. Martin, William L. Davidson, H. W. McGowan, Warren A. Lay, Charles Tessier, Wilder Bartlett, Léon Bombadier, Isidore Frégeau, M. D., Fulgence Préfontaine, and John C. Willard, and such other persons or corporations as shall become shareholders in the company hereby incorporated, shall be and are hereby constituted a body politic and corporate by the name of "The Missisquoi and Black Rivers Valley Railway Company."

2. The said company and their servants shall have full power and authority to lay out, construct, make and finish a double or single, iron or wooden railway, of such width and gauge as the directors may judge most advantageous, from any point at or near the village of Mansonville, in the county of Brome, through part of the counties of Brome, Shefford and Richmond, to any point at or near Durham station or Richmond station, on the line of the Grand Trunk Railway, and shall have power of connecting the same with the South Eastern Counties Junction Railway or any other railway within either of the townships of Potton and Sutton, under any conditions which may be agreed to between the company incorporated by this act, and any other railway company, and they shall have the power to construct a branch or branches of the same, not exceeding fifteen miles in length, from any station or depot thereof, with power hereafter to substitute iron rails

Power to construct railway on certain line, and certain branch lines.

Certain persons incorporated.

for wooden in any part of the said road which may have been built with wooden rails, in the discretion of the directors, under the conditions hereby established for the main line thereof. And the said company shall have power to build a branch line from any convenient point on the main line of the said road, to the village of Magog, on lake Memphremagog, in the county of Stanstead, and the said branch may be constructed at any time after the passing of this act, and if desirable even before the construction of the main line.

**Capital stock.** 3. The capital stock of the said company shall not exceed in the whole, the sum of one million dollars (with power to increase the same as provided by the *Quebec Railway Act, 1869*.) to be divided into ten thousand shares of one hundred dollars each, which amount shall be raised by the persons hereinbefore named, and such other persons and corporations as may become shareholders in such stock, and the money so raised shall be applied in the first place towards the payment of all fees, expenses and disbursements, for procuring the passing of this act, and for making the surveys, plans and estimates connected with the railway, and all the rest and remainder of such money shall be applied towards the making, completing and maintaining the said railway, and other purposes of this act; provided always, that until the said preliminary expenses shall be paid out of the capital stock, it shall be lawful for the municipality of any county, city, town or township, interested in the railway, or otherwise, to pay out of the general funds of such municipality such preliminary expenses, which sums shall be refunded to such municipality from the stock of the said company, or be allowed to them in payment of stock.

Application thereof.

Proviso as to payment of preliminary expenses by municipalities.

Provisional directors.

4. The said persons hereinbefore mentioned are hereby constituted and appointed the first board of directors of the company, any five members thereof to form a quorum for the transaction of business.

**Their powers.** 5. The said directors are hereby empowered to take all necessary steps for opening the stock-books for the subscriptions of parties desirous of becoming shareholders in the said company, and all persons subscribing to the capital stock of the said company shall be considered proprietors and partners in the same, but shall be liable only to the extent of their stock therein.

Limited liability of shareholders.

Certain manufacturing and other compa-

6. All manufacturing companies or other companies carrying on business in whole or in part, at any place with

in the limits of the counties traversed or to be traversed by the said line of railway, duly incorporated, may, by a vote of the shareholders representing at least the three-fourths in value of the shares, but not otherwise, subscribe or otherwise purchase and hold any number of shares in the capital stock of the said company, and may divest themselves thereof by transfer.

7. When and so soon as one-tenth part of the capital stock shall have been subscribed, as aforesaid, and the sum of at least five thousand dollars paid into the hands of the treasurer of the said company, it shall and may be lawful for the said directors, or a majority of them, to call a meeting of the shareholders at such time and place as they may think proper, giving at least two weeks notice in two newspapers published in the districts of Bedford and St. Francis, at which general meeting, and at the general meetings, in the following sections mentioned, the shareholders present, either in person or by proxy, shall elect nine directors, in the manner prescribed by the Quebec Railway Act, 1869, which said nine directors shall constitute a board of directors, and shall hold office until the first Monday in July, in the year following their election.

8. On the said first Monday of July, and on the first Monday of July in each year thereafter, there shall be holden a general meeting of the shareholders of the said company at the principal office of the said company, at which meeting the shareholders shall elect nine directors for the then ensuing year, in the manner prescribed, by the Quebec Railway Act, 1869, public notice of such annual general meeting and election shall be published one month before the day of election, in two newspapers published in the districts of Bedford and St. Francis, and the election of directors, shall be by ballot, and the persons so elected together with the *ex-officio* directors shall form the board of directors.

9. Five directors shall form a quorum for the transaction of business, and the said board of directors may employ one or more of their number as paid director or directors; provided, however, that no person shall be elected director unless he shall be the holder and owner of at least ten shares of the stock of the said company, and shall have paid up all calls upon the said stock.

10. The directors may, at any time, call upon the shareholders for such instalments upon each share which they

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Calls on shares

or any of them may hold in the capital stock of the said company, and in such proportion as they may see fit, except that no such instalment shall exceed ten per cent. on the subscribed capital, and that one month's notice of each call shall be given in such manner as the directors shall think fit.

Vacancies of directors how filled.

11. The directors or a majority of them, may supply the place or places of any of their number, from time to time, dying or declining to act as such directors, from among the several persons being subscribers for, or owning and holding shares in the said company sufficient to qualify him or them to act as directors as aforesaid.

Form of conveyance of land.

12. All deeds and conveyances of lands to the said company for the purposes of this act, in so far as circumstances will admit, may be in the form of the schedule A, to this act subjoined, or in any other form to the like effect; and for the purpose of due enregistration of the same, all registrars, in their respective counties, are required to register in their registry books such deeds and conveyances, upon the production and proof of the due execution thereof without any memorial, and shall minute the enregistration or entry on such deed; and the registrar shall receive from the said company, for all fees on every such enregistration, and for a certificate of the same, fifty cents and no more, and such enregistration shall be deemed to be valid in law.

Registration thereof.

Power to issue bonds.

13. The directors of the said company shall have power, upon being duly authorized thereto by a vote of the majority of the shareholders in the said company, present at any annual meeting in the month of July, for the purpose of electing directors, or at any general meeting of the said shareholders, whereof notice shall have been given in the manner hereinabove provided in the case of a general annual meeting and election, and in which notice shall be stated and published the object of such meeting, to issue their bonds or debentures made and signed by the president or vice-president of the said company, and countersigned by the secretary-treasurer thereof, and under the seal of the said company, for the purpose of raising money for prosecuting the undertaking, and such bonds shall be and be considered to be privileged claims upon the property of the said company, and shall bear hypothec upon the said railway without registration, anything in article 2084 of the civil code, to the contrary notwithstanding, and such bonds or debentures shall and may be in the form contained in the schedule "B," annexed to this act, or in any other form similar thereto, and need not be executed before

Bonds to be privileged.

a notary; provided, however, that no such bonds or debentures bearing such hypothec shall be issued until after ten per cent of the whole capital stock of the said company, as provided by this act, shall have been expended in and upon the said railway; and provided, also, that the whole amount raised by such bonds or debentures shall not exceed one half the capital stock of the company, nor be in excess of the amount actually paid up on its share capital, at the time of the issue of such bonds or debentures. Proviso.

14. It shall be lawful for the said company to enter into any agreement with any other railway company for leasing the said railway or any part thereof or the use thereof, at any time or times, or for any period to such other company, or for leasing or hiring from such other company any railway or any part thereof, or the use thereof, or for the leasing or hiring of any locomotives, tenders or movable property, and generally to make any agreement or agreements with any such other company, touching the use by one or the other or by both companies, of the railway or movable property of either or both, or any part thereof, or touching any service to be rendered by the one company to the other and the compensation therefor; and any such agreement shall be valid and binding and shall be enforced by courts of law according to the terms and tenor thereof. As to agreements with companies.

15. The said company may, from time to time, purchase, have, hold, take, receive, use and enjoy any immovable property, not exceeding in the whole twenty thousand acres, along the line of the railway or in the vicinity thereof, but separated therefrom, which it may please Her Majesty or any person, or corporation to give, grant, sell or convey unto and to the use of the said company; and the said company may cut wood and dig earth, gravel and stones on any such land, either for their own use in the construction and keeping in order and working of the railway, or for sale, and may establish stations, sidings, branches, work-shops, wood-yards and gravel pits on any such lands, and may sell fire-wood or timber cut on such lands, and may, from time to time, sell and dispose of any of such lands not required or necessary to be retained for gravel-pits, sidings, branches, wood-yards, station grounds or work-shops, or for other purposes of the said company, and may acquire others in lieu thereof. Power to acquire lands along the railway not exceeding 20,000 acres.

#### SCHEDULE A.

##### DEED OF SALE.

Know all men by these presents, that I, A. B., of  
do hereby in consideration of  
paid to me by the Missisquoi and Black Rivers



Valley Railway Company, the receipt whereof is hereby acknowledged, grant, bargain, sell and convey unto the said Missisquoi and Black Rivers Valley Railway Company, their successors and assigns, all that tract or parcel of land (describe the land,) the same having been selected and laid out by the said company for the purpose of their railway; to have and to hold the said land and premises unto the said company, their successors and assigns forever.

Witness my hand and seal this,                      day of  
one thousand eight hundred and

Signed, sealed and delivered                      A. B.                      (L.S.)  
in presence of

SCHEDULE B.

FORM OF DEBENTURE.

"The Missisquoi and Black Rivers Valley Railway Company."

No.

This debenture witnesseth that "The <sup>§</sup>Missisquoi and Black Rivers Valley Railway Company, under the authority of the provincial statute passed in the thirty-fourth year of Her Majesty's reign, intituled: "An Act to incorporate the Missisquoi and Black Rivers Valley Railway Company," have received from

the sum of  
as a loan to bear interest from the date hereof, at the rate of  
per centum per annum, payable

half-yearly on the                      day of  
and on the                      day of  
which sum of                      the said company  
bind and oblige themselves to pay on the  
day of                      to the said

or to the bearer hereof at                      and to pay  
the interest thereon half-yearly as aforesaid, on the production of the *coupon* therefor, which now forms part of this debenture.

And for the due payment of the said sum of money and interest, the said company, under the power given to them by the said statute, do hereby mortgage and hypothecate the real estate and appurtenances hereinafter described, that is to say: *The whole of the railroad from including all the lands at the termini of the said road, and all lands of the company within these limits, and*



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*St. John's & Clarenceville Railway.*

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*all buildings thereon erected, and all and every the appurtenances thereto belonging.*

In testimony whereof, \_\_\_\_\_ president of the said company hath hereto set and affixed his signature and the seal of the said company, at this \_\_\_\_\_ day of \_\_\_\_\_ one thousand eight hundred and \_\_\_\_\_

President (L.S.)  
Countersigned and entered,  
Secretary.

(L.S.)

C. P. XXVII.

An Act to incorporate the St. John's and Clarenceville Junction Railway Company.

[Assented to 24th December, 1870.]

**W**HEREAS, the persons hereinafter named and others, Preamble. have petitioned for incorporation as a company, to construct the railway hereinafter described, and the construction of such railway would be of great benefit to the commerce and for the advantage of the district through which such railway would pass, and it is expedient to grant their prayer; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. Robt. Macfie, John Hunter, U. M. Smith, F. M. Town- Certain persons incorporated. send, F. U. Derick, Wm. Chilton, H. H. Beerwort, W. M. Macfie, A. H. Derick, C. S. Rowe, J. B. Hall, Rev. E. DuVernet, G. N. Clark, M. V. Curtis, L. D. St. Johns, H. G. Trepania, Henry Taylor, J. Lamoureux, R. Bowers, L. Roy, Robt. Wright, and L. H. Trudeau, esquires, with all such other persons and corporations as shall become shareholders in the company hereby incorporated, shall be and are hereby constituted a body corporate and politic, by the name of the "St. John's and Clarenceville Junction Railway Company."

2. The said company and their servants shall have full Power to construct a railway on a certain line. power and authority to lay out, construct, make and finish a double or single iron railway, of such width or gauge as the company sees fit, from the province line at or near Aird's Post Office, parish of St. George de Clarenceville, county of Missisquoi, in a northerly direction to St. John's, P.Q., together with the power to construct any branch or branches of the same, not exceeding ten miles in length,

from any station or depot thereof, in the discretion of the directors, under the conditions hereby established for the main line thereof.

Capital stock,  
and increase  
thereof.

3. The capital stock of the said company shall be the sum of four hundred thousand dollars (with power to increase the same as provided by the Quebec Railway Act, 1869), to be divided into eight thousand shares of fifty dollars each, which amount shall be raised by the persons hereinbefore named, and such other persons and corporations as may become shareholders in such stock, and the money so raised shall be applied in the first place towards the payment of all fees, expenses and disbursements, for procuring the passing of this act, and for making the surveys, plans and estimates, connected with the railway, and all the rest and remainder of such money shall be applied towards the making, completing and maintaining the said railway and other purposes of this act; provided always, that until the said preliminary expenses shall be paid out of the capital stock, it shall be lawful for the municipality of any county, city, town or township interested in the railway, or otherwise, to pay out of the general funds of such municipality, such preliminary expenses, which sums shall be refunded to such municipality from the stock of the said company, or be allowed to them in payment of stock.

Application of  
moneys.

Provisional  
direction.

4. Robt. Macfie, John Hunter, U. M. Smith, F. M. Townsend, F. U. Derick, Wm. Chilton, H. H. Beerwort, G. N. Clark, C. S. Rowe, R. Bowers, L. Roy, L. H. Trudeau and J. Lamoureux, are hereby constituted and appointed the first board of directors of the company, any five members thereof to form a quorum for the transaction of business.

Opening of  
subscription  
books.

5. The said directors are hereby empowered to take all necessary steps for opening the stock books for the subscriptions of persons desirous of becoming shareholders in the said company, and all persons subscribing to the capital stock of the said company, shall be considered proprietors and partners in the same, but shall be liable only to the extent of their stock therein.

Certain corpo-  
rations may  
take shares.

6. All manufacturing or other corporations carrying on their operations in whole or in part within the counties traversed or to be traversed by the said line of railway, whether incorporated by special act or under any general act, may subscribe for or otherwise acquire and may hold any number of shares of the capital stock of the said company, and may dispose of the same at pleasure.

7. When so soon as one-tenth part of the paid capital stock shall have been subscribed as aforesaid, and so soon as one-tenth part of the subscribed stock shall be paid up, it shall and may be lawful for the said directors or a majority of them, to call a meeting of the shareholders at such time and place as they may think proper, giving at least two weeks' notice in one or more papers published in any town or county upon the line of the said railway, at which general meeting, and at the annual general meetings in the following sections mentioned, the shareholders present either in person or by proxy, shall elect nine directors in the manner and qualified as hereinafter provided, which said nine directors shall constitute a board of directors, and shall hold office until the first Monday of March in the year following their election.

Meeting for election of first directors.

8. On the said first Monday of March, and on the first Monday of March in each year thereafter, shall be holden a general meeting of the shareholders of the said company, at the principal office of the said company, at which meeting the shareholders shall elect nine directors for the then ensuing year, in the manner and qualified as hereinafter provided.—And public notice of such annual general meeting and election shall be published one month before the day of election in one or more newspapers published in any town or county upon the line of the said railway, and the elections of directors shall be by ballot, and the persons so elected, shall form the board of directors.

Meeting for elections of subsequent directors.

9. Five directors shall form a quorum for the transaction of business, and the said board of directors may employ one or more of their number as paid director or directors; provided, however, that no such person shall be elected a director unless he shall be the holder and owner of at least ten shares of the stock of the said company, and shall have paid up all calls on the said stock.

Quorum of directors.

10. In the election of directors under this act, and in the transaction of all business at general stockholders meetings, each shareholder shall be entitled to as many votes as he holds shares, upon which the calls have been paid up.

Voting.

11. The directors may, at any time, call upon the shareholders for instalments upon each share which they or any of them may hold in the capital stock of the said company, in such proportion as they may see fit, in such a manner that no such instalment shall exceed ten per cent, nor fall due until two months from the time of the falling due of the previous instalment, one month's notice having been given in such a manner as the directors may appoint.

Calling in of instalments.

Form of deed  
of conveyance  
of land—regis-  
tration thereof

**12.** All deeds and conveyances of lands to the said company, for the purposes of this act, in so far as circumstances will admit, may be in the form given in schedule A, to this act subjoined, or in any other form to the like effect, and for the purposes of due enregistration of the same all registrars in their respective counties, shall be furnished by, and at the expense of the said company, with a book, with copies of the forms given in the said schedule A, one to be printed on each page, leaving the necessary blanks to suit the circumstances upon each separate conveyance, and shall, upon the production and proof of the due execution of any such conveyance, enter the same in the said book without any memorial, and shall minute the enregistration or entry on the deed, and the registrar shall charge and receive from the said company, for all fees on every such registration fifty cents and no more, and such enregistration shall be deemed to be valid in law, any statute or provision of law to the contrary notwithstanding.

Power to issue  
bonds.

**13.** The directors of the said company shall have the power, upon being duly authorized thereto, by a vote of a majority of stockholders in the said company present at any annual meeting in the month of March, for the purpose of electing directors, or at any special meeting called for the purpose, having had one month's notice in one or more newspapers, in any town or county upon the line of the road, to issue their bonds made and signed by the president or vice-president of the said company, and countersigned by the secretary and treasurer, and under the seal of the said company, for the purpose of raising money for prosecuting the undertaking, and such bonds shall be and be considered to be privileged claims upon the property of the said company, and shall bear hypothec upon the said railway without registration; provided, however, that no such bonds bearing such hypothec, shall be issued until after twenty-five per cent of the whole capital stock of the said company, as provided by this act, shall have been expended in and upon the said railway, and provided also that the amount raised upon such bonds shall not exceed two hundred and fifty thousand dollars, unless and until the capital stock shall be increased, and thereafter the amount of said bonds so to be issued, shall not exceed fifty per cent of the amount of the capital stock of the company.

Bonds to be  
privileged.

Proviso.

Arrangements  
for branch  
connections.

**14.** The directors of the said company shall have power and authority to enter into and conclude any arrangements with any other chartered railway company, for the purpose of making any branch or branches to facilitate a connection between this company and such other chartered railway company.

15. Advantage may be taken of the forfeiture of shares without the same having been declared to be forfeited at a general meeting of the company assembled at any time after such forfeiture occurs, provided the same be declared to be forfeited at any meeting of the board of directors.

Directors may declare forfeiture of shares.

16. The directors or a majority of them may supply the place or places of any of their number, from time to time, dying or declining to act as such directors, from among the several persons being subscribers for or owning or holding shares in the said company, sufficient to qualify him or them to act as directors as aforesaid.

Vacancies among directors.

17. It shall be lawful for the said company to enter into any agreement with any other railway company, for leasing the said railway or any part thereof, or the use thereof, at any time or times, or for any period, to such other company and railway, or part thereof or the use thereof, or for the leasing or hiring any locomotives, tenders or movable property, and generally to make any agreement or agreements with any such other company, touching the use by one or the other, or by both companies of the railway, or movable property of either or both or any part thereof, or touching any service to be rendered by the one company to the other and the compensation therefor; and any such agreement shall be valid and binding, and shall be enforced by courts of law according to the terms and tenor thereof.

Agreements with other R. Companies for certain purposes.

18. The said company may, from time to time, purchase, have, hold, take, receive, use and enjoy any movable property, not exceeding in the whole one thousand acres along the line of the said railway, or in the vicinity thereof, but separated therefrom, and if separated therefrom, then with the necessary right of way thereto, which it may please Her Majesty or any person or corporation, to give, grant, sell or convey unto and to the use of the said company, and the said company may cut wood, and dig earth, gravel, and stones on any such land, either for their own use in the construction and keeping in order and working of the railway or for sale, and may establish stations, sidings, branches, work-shops, wood-yards and gravel-pits on any such lands, and may sell firewood or timber cut on such lands, and may from time to time sell and dispose of any of such lands not required or necessary to be retained for gravel pits, sidings, branches, wood-yards, stations, grounds or work-shops, or for other purposes of the said company, and may acquire others in lieu thereof.

Power to acquire lands along the line, not exceeding 1000 acres.

## SCHEDULE A.

## FORM OF DEED OF SALE.

Form.

Know all men by these presents, that I, A. B., of  
do hereby and in consideration of  
paid to me by the St. John's and Clarenceville Junction  
Railway Company, the receipt whereof is hereby acknow-  
leged, grant, bargain, sell and convey unto the said St.  
John's and Clarenceville Junction Railway Company, their  
successors and assigns, and all that tract or parcel of land  
(describe the land), the same having been selected and  
laid out by the said company for the purpose of their rail-  
way, to have and to hold the said lands and premises, unto  
the said company, their successors and assigns for ever.

Witness my hand and seal, this \_\_\_\_\_ day of  
, one thousand eight hundred and \_\_\_\_\_

Signed, sealed and delivered in presence of \_\_\_\_\_ A.B. (L.S.)

## CAP. XXVIII.

An Act further to amend the Charter of the South Eastern  
Counties Junction Railway Company.

[Assented to 24th December, 1870.]

Preamble.

**W**HEREAS the South Eastern Counties Junction Rail-  
way Company have set forth and shown that they  
have made great progress in the construction of their  
railway, having already completed one important section  
thereof, and are actively at work on other sections of the  
same, under contract duly entered into for the construction  
of the whole of their said railway; that under such contract  
their contractor is, or very shortly will be, entitled to an  
issue of certain of their bonds in his favor, but that under  
section fifteen of their charter, they can only issue the same  
in pursuance of a vote of a majority of the shareholders  
present at any annual meeting in the month of September,  
and at their last annual meeting such vote was by mere  
inadvertence not passed; that it may seriously prejudice  
their operations, if they should be compelled to wait until  
after their next annual meeting before the issue of any  
such bonds; and whereas it is expedient to amend the said  
charter, as they therefore pray, in such manner as to allow  
them to authorize the issue of such bonds at any special  
general meeting duly called to that end; Therefore, Her-

Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. The fifteenth section of the act passed at the session of the Parliament of the late province of Canada, held in the twenty-ninth and thirtieth years of Her Majesty's reign, and intituled: "An Act to incorporate the South Eastern Counties Junction Railway Company," is hereby amended by striking out therefrom the words "in the month of September, for the purpose of electing directors," and substituting therefor the words "or special general meeting duly convened for that purpose, by public notice inserted for at least two consecutive weeks in some newspaper published on or as near as may be to the line of the said railway."

29 and 30 Vict. chap. 100, sec. 15 amended.

2. The act hereby amended, that passed at the session of this Legislature held in the thirty-second year of Her Majesty's reign, intituled: "An Act to amend the act incorporating the South Eastern Counties Junction Railway Company," and this act shall be held and construed as though forming one and the same act; and the expression "the charter of the South Eastern Counties Junction Railway Company," shall be a sufficient citation of the same.

Said Act Q. 32 Vict., cap. 60, and the present to form one and the same act.

CAP. XXIX.

An Act to empower the Huntington Mining Company to work a certain tramway from their mine in Bolton to the Stanstead, Shefford and Chambly Railroad and to the navigable waters of Lake Memphremagog.

[Assented to 24th December, 1870.]

**W**HEREAS the Huntington Mining Company has petitioned the legislature setting forth that the said Company has made great progress in the construction of a Tramway connecting their mine in the township of Bolton with the eastern terminus of the Stanstead, Shefford and Chambly railroad and with the navigable waters of Lake Memphremagog, and praying for the passing of an act to remove doubts as to their power to work the same for the public convenience; and it is expedient to grant the prayer of the said petition; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Preamble.



The company's tramway shall be subject to Railway Act of 1869.

1. The said mining company may exercise, as to the said proposed tramway, all and singular the powers conferred upon railway companies in this province by "The Quebec Railway Act, 1869;" and to that end the said tramway shall be a railway within the meaning of the said act.

Company may make agreements with other Companies for certain purposes.

2. The said company may enter into any agreement with any other railway company in this province for the leasing of the said railway or tramway or any part thereof, or the use thereof for any time or times or for any period to such other company; or for the leasing or hiring from such other company of any railway or part thereof, or the use thereof; or for the leasing or hiring of any locomotives, tenders or movable property; and generally may make any agreement or agreements with any such other company touching the use or sale by one or the other or by both companies of the railway or moveable property of either or of both, or any part thereof, or touching any service to be rendered by the one company to the other and the compensation therefor; and any such agreement shall be valid and shall be enforced by courts of law according to the terms and tenor thereof.

CAP. LXV.

An Act to amend the act incorporating the Montreal City Passenger Railway Company.

[Assented to 24th December, 1870.]

Preamble.

WHEREAS the Montreal City Passenger Railway Company of Montreal, has, by petition, represented that divers improved methods of propelling vehicles for the transport of passengers, have been discovered, of which the said company desires to avail itself in the interest of the public, and for the furtherance of its business, and has prayed for authority to use such improved methods in the city of Montreal, and in the municipalities adjoining the same; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Company may employ steam power to propel their cars.

1. It shall be lawful for the Montreal City Passenger Railway Company of Montreal to employ for the propelling of its vehicles and for the transport of passengers and their baggage, either upon rails or upon roads and streets in the city of Montreal, and in the municipalities adjoining thereto, motive power produced by steam, caloric, compressed air, or by any other means or machinery whatever; provided always, that before, however, exercising the said

Proviso.



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Montreal City

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1870.

*Aid to Colonization Railways.*

Cap. 35.

power in any street in the said city, the company shall obtain the sanction of the council of the said city thereto by by-law, and provided also, that after any such sanction has been given, the said council, may by a vote concurred in by an absolute majority of the entire council, revoke said sanction in whole or in part; and provided also, that <sup>Proviso.</sup> previous to the passing of such by-law the said corporation may, by resolution, permit the use of such cars and traction engines for the purposes of trial only, which permission may be revoked in a like manner by resolution.

2. The said cars or traction engines shall not be allowed to run on roads in charge of the trustees of the <sup>Rights of Turnpike Trustees saved</sup> Montreal turnpike roads without the consent of the said trustees, who shall have the power to levy such tolls for the passage of the said cars or traction engines as to them shall appear fair and reasonable, subject to the approval of the lieutenant-governor in council, and the said company shall be held liable to the said trustees for all damages that may arise either directly or indirectly, from the running of said cars or traction engines on the said turnpike roads.

3. In case any horse on the street in the city of Montreal or on the highway in any of said municipalities becomes <sup>Cars to be stopped when horses are frightened.</sup> restive at the sight or from the noise of an approaching car or engine, it shall be the duty of the conductor or engine driver to stop the car or engine until such horse shall have passed the car or engine, or shall have been removed, and to render all reasonable assistance to the driver of such horse.

4. The said company is hereby authorized to increase <sup>Power to in-crease capital.</sup> its capital stock, by the issue of new stock to the extent of three hundred thousand dollars above and beyond its present capital, making its capital to consist in all of six hundred thousand dollars, and such issue of new stock may be made in such manner and upon such terms and conditions and in such proportion as the company may fix and determine by by-law.

C A P. X X X V .

An Act to amend the Colonization Railway Aid Act of 1869.

[Assented to 1st February, 1870.]

**H**ER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Sec. 8, Colonization railway aid act of 1869 amended. 1. The eighth section of the colonization railway aid act of 1869, is hereby amended, by substituting for the word "seventy" therein, the words "seventy-two," and for the words "seventy-three," the words "seventy-five."

Mont. North. Col. Railway, entitled to aid, although built of iron. 2. The Montreal northern colonization railway company shall be entitled, upon its conforming to the provisions of the said act, to the aid assured by the said act, notwithstanding that the whole, or any part of the road of the said company shall have been constructed in iron.

## CAP. XXII.

An Act to amend the Act of this Province, thirty-second Victoria, Chapter fifty-two, respecting aid to certain Colonization Railways.

[Assented to 23rd December, 1871.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Full converted subsidy may be paid in certain cases. 1. Notwithstanding anything to the contrary contained in the act of this province, thirty-second Victoria, chapter fifty-two, whenever one continuous half of any of the railways named in the said act, or of the length of the St. Francis and Megantic International Railway, defined in section thirteen of the act of this Province, thirty-fourth Victoria, chapter twenty-one, or any continuous portion of such railways, not less than twenty-five miles in length, shall be completed and in operation, the lieutenant-governor in council may, on demand of the company, pay for such half, or for every such length of road, the full amount of the converted subsidy granted by the said act, in proportion to the number of miles so completed.

It may be paid either in money or in capitalized debentures. 2. Such payment may be made either in money or by means of capitalized government debentures, and the provisions of sub-sections four, five, six, seven and eight, of section five of the said act, shall apply to the said debentures in the same manner as to the converted debentures mentioned in the said sub-sections, and shall subject the company and the railway, and all the properties and appurtenances thereof to the same obligations, conditions and lien, as they would have been subject to in the case of the payment of the annual subsidy or of debentures having been issued in virtue of the said act.

CAP. XXIII.

An Act to provide for the granting of certain lands in aid of the St. Francis and Megantic International Railway Company, and of the Quebec and Gosford Railway Company.

[Assented to 23rd December, 1871.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. From and out of the public lands of this province, certain lands forming a superficies of one million nine hundred and thirty-five thousand acres, more or less, are hereby set apart for the purposes of this act, that is to say: all the lands described in the schedule of this act, under the designations of blocks E and F, and comprised within the blocks or extents of territory delineated in red, and marked E and F, upon a certain lithographed copy of a map of the province of Quebec, drawn at the crown lands department of this province by Eugène Taché, assistant commissioner of Crown Lands, and dated Quebec, eighteen hundred and seventy, which lithographed copy is filed in the office of the clerk of the legislative council of this province, to remain of record for all the purposes of this act, and copies of which, in full or on a reduced scale, certified by the said clerk shall be deemed authentic for all legal purposes.

1,935,000 acres of land set apart for the purposes of this act.

2. The lieutenant-governor in council may, subject to the provisions of the two next following sections, grant to the St. Francis and Megantic International railway company, for the construction of that portion of its railway, within this province, between the place where the said railway leaves the line of the Grand Trunk Railway and the province line, ten thousand acres of land for each mile of such portion of railway; the said land to be chosen within the limits of the said block E.

10,000 acres per mile may be granted on certain conditions to the St. Francis and Megantic International R. Co.

3. The company shall be entitled to the said grant upon the following conditions only:

Conditions of said grant.

The said portion of railway shall have been completed to the province line, and put into operation, to the entire satisfaction of the lieutenant-governor in council, on or before the first day of January, one thousand eight hundred and seventy-seven;

The lieutenant-governor in council, if he thinks proper, may, nevertheless, when it is established that the said company is actively engaged in the construction of its

works, grant to it, for each twenty-five miles of the said portion of the road completed, a portion of the said lands, proportionate in quantity to such length of road.

No grant unless it is accepted before 1st January, 1873, in lieu of subsidy under sec. 13 of 34 V. c. 21.

4. No grant shall, however, be made under this act, to the said company, unless on or before the first day of January, one thousand eight hundred and seventy-three, it shall have signified to the secretary of the province, its acceptance of such grant in lieu of any subsidy to which it might be entitled under the colonization railway aid act of 1869, and section thirteen of the act thirty-fourth Victoria, chapter twenty-one.

10,000 acres per mile may be granted for extension of Quebec and Gosford railway.

5. The lieutenant-governor in council may, subject to the provisions of the next following section, grant to the Quebec and Gosford railway company, for the building of the extension of their railway, from its present terminus at Gosford, to the mouth of the river Metabetchouan, on Lake St. John, ten thousand acres of land for every mile of such extension, which land the said company is hereby authorized to receive, notwithstanding and without prejudice to section five of the act of this province, thirty-fourth Victoria, chapter twenty-four, or any other provision of law; and the said land shall be chosen by the lieutenant-governor in council, on the report of the commissioner of Crown Lands, from within the said block F.

Sec. 5 of 34 V. c. 24.

Conditions of said grant.

6. The said Quebec and Gosford railway company shall be entitled to the said grant on the following conditions only:

The said extension of railway shall have been completed from the said terminus at Gosford to the mouth of the river Metabetchouan, on Lake St. John aforesaid, and have been put into operation, to the entire satisfaction of the lieutenant-governor in council, on or before the thirty-first day of December, one thousand eight hundred and seventy-six;

Nevertheless, the lieutenant-governor in council may, if he thinks proper, when it is established that the said company is actively engaged in the construction of its works, grant to it, for each twenty-five miles of the said extension of railway, a portion of the said lands proportionate in quantity to such length of road.

Provision in case of the company changing its name under 34 V. c. 24.

7. In the event of the name of the said Quebec and Gosford railway company being at any time hereafter changed, in virtue of the provisions of the act thirty-fourth Victoria, chapter twenty-four, the provisions of this act may be carried out in respect of the said company under

its new name, in the same manner as might have been done under its present name.

8. In case either of the above named companies shall not have *bond fide* commenced to build its portion of railway as above mentioned, within two years from the first day of May next, it shall forfeit all claims to land under this act.

Each company must have begun to build before 1st May 1874.

9. A copy of the plan of each of the said railways shall be furnished to the provincial secretary, and if the lieutenant-governor in council should be of opinion that the line of railway adopted by the company is longer than it should be, he shall withhold a portion of the grant, authorized by this act, proportionate to the number of miles which he shall deem to be in excess of the proper length.

Plan of each railway to be furnished. No grant for any excessive length.

#### SCHEDULE.

##### BLOCK E.

The territory lying on the S. W. bank of the River St. Maurice, and being situate partly in the counties of Portneuf and Champlain, and bounded and circumscribed as follows: beginning at the mouth of Trout River, one of the westerly tributaries of the River St. Maurice aforesaid, at the 127th mile-post planted by P. L. S. Bignell, in 1847, at the point marked *e*, on the accompanying plan, by a line running astronomically south  $45^{\circ}$  west, a distance of 28 miles to the point *f*, thence on the astronomical bearing, north  $45^{\circ}$  west, 46 miles to *g*; from this point, at right angles, to this last-mentioned line, and on the course north  $45^{\circ}$  east astronomically, 19 miles more or less, to its intersection with the west shore of Lake Travers, one of the head waters of the River St. Maurice, at the point marked *h*, being due west from the 190th mile-post, planted by the said P. L. S. Bignell, on the east side of said Lake Travers; then following the west banks of Lakes Travers and Shamgois, and in continuation in a south-easterly direction, the west shore of the said Saint Maurice river, to the place of beginning as at *e*.

The said block E, containing a superficies of 752,000 acres more or less.

##### BLOCK E.

The territory forming part of the unoccupied lands of the

Crown, situate in the counties of Quebec, Montmorency, and Chicoutimi, and bounded as follows, that is to say :

Beginning on the line of exploratory survey from Stoneham to Lake St. John, established in 1847, by the surveyor, F. W. Blaiklock, at the post planted by him to mark the twenty-ninth mile from the south-western angle of the said township of Stoneham, in the place indicated by the letter G, on the above mentioned plan, thence following the said line on the astronomical bearing north  $15^{\circ}$  west for a distance of twelve miles, to the post which marks the forty-first mile of the said survey ;

From such point marked H, on the above mentioned plan, by a line running north  $70^{\circ}$  east, a distance of eighteen miles to I, the said point being situated one mile from the colonization road from Quebec to Lake St. John, thence on a line parallel to the various sinuosities of the said road, always at the same distance of one mile, in a general northerly direction,  $18^{\circ}$  west to the forty-eighth degree of north latitude, which forms the boundary between the counties of Quebec and Montmorency, and the county of Chicoutimi, to the point J, a distance of twenty-seven miles, and thence on a line parallel to that of the road here-inbefore mentioned, in a general northerly course,  $36^{\circ}$  west, about nine miles to the point K ;

Thence following on a line running north  $73^{\circ} 50'$  west, a distance of forty-five miles, till it meets the main branch of the river Croche, in L ;

Thence descending the course of the said river, towards the south-west, about fourteen miles to M ;

The said Block F being in the said locality, bounded on the north-east side by the last timber limits conceded on the eastern bank of the river Croche, running south  $75^{\circ}$  east, a distance of ten miles, and in prolongation thereof a mile and a half, to its intersection with the line of exploration drawn in 1854, by the surveyor, F. W. Blaiklock, from Latnque to Lake St. John, to the point designated by the letter N, on the said plan ;

Thence on the said line of exploration south  $22^{\circ}$  west, astronomically, a distance of four miles and a half to O, on the forty-eighth degree of north latitude aforesaid, and following such parallel towards the east, a distance of fifteen miles to P, to the point where it intersects the river Waquagamakasis ;

Ascending the said river, which discharges into the lake des Commissaires, and following its eastern bank, and the corresponding shore of lake Najaoualauc (one of the sources of the Grand River Bostonnais) and in continuation, that of the river Pequanagouasoui, to the letter D, which marks the north-west angle of Block B, granted to the North

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1871.

*Quebec and Gosford Railway.*

Cap. 24.

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Shore and the Montreal Northern Colonization Railway Companies, a distance of about twenty-four miles; thence due east, following the northern boundary of the said Block B, for a length of two miles to E; thence pursuing for twenty-three miles, the eastern and south-eastern line of the said Block B, to the point Q, which line should follow for about six miles the general course of the river Métabetchouan, and the line established by the surveyor, Eugène Casgrain, defining the position of the projected railway from Quebec to Lake St. John;

Lastly, from the said last mentioned point, on a course east astronomically, six miles to R, at the intersection of the said line of intersection hereinbefore mentioned, and in continuation in the same direction, ten miles to G to the point of departure hereinbefore firstly mentioned.

The said Block F, containing one million, one hundred and eighty-three thousand acres in superficies.

## CAP. XXIV.

An Act to amend the charter of the Quebec and Gosford Railway Company.

[Assented to 23rd December, 1871.]

**W**HEREAS Henri Gustave Joly, Eugène Chinie, and Preamble  
Pierre Garneau, esquires, all of the city of Quebec, have, by their petition, prayed that an act may be passed, authorizing and empowering the Quebec and Gosford Railway Company, to make agreements for leasing the line of railway belonging to the said company, and confirming the lease thereof made by the said company, and authorizing and empowering the said company to have a depot, a workshop, a yard and wharves at or near the Palais harbor, and to prolong their line of railway to the said depot; and whereas it is expedient, not only in the interest of the said company, but also in the interest of the inhabitants of the city of Quebec and of the neighborhood, and of the township of Gosford and intermediate parishes, as well as of the parishes and townships adjacent thereto, respectively, that the prayer of the said petition should be granted; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. The said company may make agreements with any other railway company incorporated or to be incorporated As to agree-  
ments with  
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nies.



by competent legislative authority either of the late province of Canada, or of the province of Quebec, or with any person or persons, for leasing the said railway or any part or branch thereof, or the use thereof, or any locomotives, tenders, cars or other rolling stock or movable property, or the use thereof, at any time or times after the expiration of the lease thereof hereinafter mentioned and confirmed, and for any period, or for leasing or hiring from any such other company, any railway or any part or branch thereof, or the use thereof, or any locomotives, tenders, cars or other rolling stock or movable property, at any time or times and for any period, and generally to make any agreement or agreements with any such other company touching the use by one or other, or by both companies, of the railway or rolling stock or movable property of either or both, or any part thereof, or touching any service to be rendered by the one company to the other, and the compensation therefor; and such leases, agreements and arrangements shall be valid and binding, and may be enforced by all courts of law or equity according to the tenor and effect thereof.

Certain dec. of  
lease of the  
railway  
confirmed.

**2.** The lease of the said Quebec and Gosford Railway, with its rolling stock and all its other appurtenances, sidings, stations, station-houses, terminus and extension, made by the president and secretary-treasurer of the said company, acting for and on behalf of the said company, and duly authorized for that purpose by resolutions of the board of directors of the said company, in accordance with resolutions passed at meetings of the shareholders of the said company, in favor of Jerome B. Hulbert, esquire, of the said city of Quebec, railway contractor, by deed duly executed at the said city of Quebec, on the first day of August, in the year of Our Lord one thousand eight hundred and seventy-one, under number one thousand six hundred and fifty-three, before Jacques Auger, notary public for the province of Quebec, is hereby ratified and confirmed, and the directors of the said company have and shall have full power and authority to carry out the same and all and every the provisions thereof.

Part of sec. 12,  
of 32 V., c. 53,  
repealed, and  
locomotives  
may run over  
part of street  
railway track,  
with consent of  
Corporation of  
Quebec.

**3.** The exception relating to locomotives in section twelve of the act of incorporation of the said company, passed in the thirty-second year of Her-Majesty's reign, chapter fifty-three, is hereby repealed so far as respects that portion of the tract of the Quebec Street Railway Company which extends from the western boundary of the city to opposite the Palais harbor; and if so agreed between the companies, locomotives may run on so much of the track of the said Quebec Street Railway Company, the consent to



that effect of the Corporation of the City of Quebec, acting by and through the City Council of Quebec, who are hereby authorized and empowered to give such consent, being first had and obtained.

4. The said Quebec and Gosford Railway Company and their agents and servants, and other persons in their employ may lay out, construct and work a double or single track of wooden or iron tramway or railway, of such width or gauge as the said company see fit, in prolongation of the railway of the said company, from the present terminus thereof at St. Sauveur, by such route as they see fit, to some point at or near the Palais harbor, in the city of Quebec, and may establish and have a depot, a yard, a workshop and wharves at or near the said Palais harbor.

Power to extend railway to Palais Harbor, and to have a depot, &c., there.

5. The said Quebec and Gosford Railway Company may, by and with the consent of Her Majesty's principal Secretary of State for the war department, or of the governor-general of Canada, in council, or of the lieutenant-governor of the province of Quebec, in council, or of the corporation of the city of Quebec, as the case may require, take and appropriate for the use of the said extension of the said railway, but may not alienate, any land in the city of Quebec vested in Her Majesty's said principal Secretary of State, or vested in Her Majesty for the purposes of the Dominion of Canada, or for the purposes of this province, or vested in the corporation of the city of Quebec, laying in or along the route of the said extension, as may be deemed necessary for the making and completing and more conveniently using and working the said extension of the said railway; and thereon may erect and establish such depots, workshops, yards, wharves, quays, inclined planes, cranes and other works as to the said company may seem meet.

Power with consent of Q. corporation to run on or cross any street.

6. The said company may lay out and construct and work the said extension of the said railway in and along or across any street in the said city lying on the route thereof with the consent of the corporation of the said city, acting by and through the city council thereof, who are hereby authorized and empowered to give such consent.

Power on certain conditions to take certain lands for the use of the said extension.

7. The chapter twenty-fourth of the thirty-fourth Victoria, "An Act to authorize the Quebec and Gosford Railway Company to prolong their railway to lake St. John," is hereby amended, as follows: "the words nine hundred and fifty thousand dollars divided into ninety-five thousand shares of ten dollars each," in the third section of the said act, are struck out, and replaced by the following: "two

34 V., c. 24, amended.

Stock increased.

millions five hundred thousand dollars, in shares of one hundred dollars each, for that part of the said capital stock, in excess of the original capital stock of one hundred and twenty thousand dollars"; and the words "one thousand eight hundred and seventy-six," in the fourth section, are struck out, and replaced by the words "one thousand eight hundred and seventy-eight."

Delay extended.

This act considered as special act.

3. This act shall be deemed a special act, according to the true intent and meaning of the Quebec Railway Act, 1869.

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CAP. XXV.

An Act to amend the Act relating to the Missisquoi Junction Railway Company.

[Assented to 23rd December, 1871.]

Preamble.

WHEREAS the Missisquoi Junction Railway Company have petitioned the Legislature for certain amendments to their act of incorporation; and inasmuch as the said company are taking measures to construct the said railway, and as a large amount of stock has been subscribed by municipalities and by private individuals, and as a board of provisional directors has been appointed, it is expedient to grant the prayer of their petition; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Quebec R. act of 1869, 32 V. c. 59. Charter of company extended for five years from passing of this act.

1. Notwithstanding anything in the Quebec Railway Act, 1869, or in the act thirty-second Victoria, chapter fifty-nine, the corporate existence of the said Missisquoi Junction Railway Company shall continue in full force and effect, for a further period of five years, from the date of the passing of the present act.

This and the amended act to form one.

2. This act, and the act hereby amended, shall be held and construed as though forming one and the same; and the expression "the charter of the Missisquoi Junction Railway Company," shall be a sufficient citation of the said act, as hereby amended.

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CAP. XXVI.

An Act to incorporate the "Ottawa and Gatineau Valley Railroad Company.

[Assented to 23rd December, 1871.]

WHEREAS the persons hereinafter named and others, have, by their petition, represented that a line of railway to be constructed from a point on the North bank of the Ottawa River, at or near the village of Hull, in the township of Hull, to a point at or near the confluence of the Rivers Desert and Gatineau, known as the Desert village, running on the west side of the river Gatineau, would colonize and settle the fertile lands of the Gatineau Valley, and speedily develop its resources, agricultural, manufacturing and mineral, and largely increase the wealth and population of the province of Quebec, and have prayed to be incorporated as a company for constructing, equipping and managing such railroad, and it is expedient to grant their prayer: Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. The honorable James Skead, the honorable Malcolm Cameron, the honorable George Bryson, E. B. Eddy, M.P., P., Alonzo Wright, M.P., J. L. P. O'Hanly, C.E., Edward McGillivray, J. M. Currier, M.P., V. Noel, John Poupore, M.P.P., J. T. C. Beaubien, M.L., James A. Grant, M.P., I. B. Taylor, R. W. Scott, M.P.P., Robert Lyon, W. H. Waller, Francis McDougall, P. A. Egleson, sen., James Goodwin, R. W. Cruice, Martin O'Gara, Thomas McGoey, John McLaren, Andrew Pritchard, Patrick Farrel, Martin Malley, John Litle, Joshua Ellard, Louis Duhamel, M.D., Philemon H. Wright, and Charles Logue, Esquires, with all such other persons and corporations as shall become shareholders in the company hereby incorporated, shall be, and are hereby constituted a body corporate and politic, by the name of the "Ottawa and Gatineau Valley Railroad Company," and shall have all the powers incident to railway corporations in general, and the powers and privileges conferred on such corporations, by the Quebec Railway Act, 1869, subject to the provisions hereinafter contained.

2. The said company and their agents and servants may lay out, construct and finish a single or double line of railroad, of such width or gauge as the company see fit, from the north side of the Ottawa river at or near the village of

Preamble.

Certain persons constituted a corporation.

Corporate name and general powers.

Power to build railroad within certain limits.

Hull, in the township of Hull, along the west side of the river Gatineau to a point at or near the Desert village, at or near the confluence of the rivers Desert and Gatineau.

Capital stock and shares, and how to be applied.

3. The capital stock of the said company shall not exceed in the whole, the sum of one million dollars, with power to increase the same as provided by the Quebec railway act, 1869, to be divided into forty thousand shares, of twenty-five dollars each, which amount shall be raised by the persons hereinafter named, and such other persons and corporations as may become shareholders in the said company, and the money so raised shall be applied, in the first place, to the payment of all fees, expenses and disbursements for procuring the passing of this act, and for making the surveys, plans, and estimates connected with the railroad; and all the rest and remainder of such money shall be applied towards making, completing and maintaining the said railroad, and other purposes of this act.

Company may receive aid in land, &c., and dispose thereof.

4. It shall be lawful for the said company to receive by grant either from Government or from any individuals or corporations, municipal or otherwise, either in Canada or elsewhere, as aid in the construction of the said railroad, any vacant lands in the vicinity thereof or elsewhere, or any other real or personal property, or any sums of money, either as gifts or by way of bonus, or in payment of stock, and legally to dispose of the same, and alienate the lands or other real or personal property for the purposes of the said company in carrying out the provisions of this act.

Provisional directors, and their powers.

5. The Honorable James Skead, the honorable Malcolm Cameron, the honorable George Bryson, E. B. Eddy, M.P.P., Alonzo Wright, M.P., J. L. P. O'Hanly, C.E., Edward McGillivray, J. M. Currier, M.P., H. V. Noel, John Poupore, M.P.P., J. T. C. Beaubien, M.D., James A. Grant, M.P., I. B. Taylor, R. W. Scott, M.P.P., Robert Lyon, W. H. Waller, Francis McDougall, P. A. Egleson, senr., James Goodwin, R. W. Cruice, Martin McGara, Thomas McGoey, John McLaren, Andrew Pritchard, Patrick Farrell, Martin Malley, John Litle, Joshua Ellard, Louis Duhamel, M.D., Philemon H. Wright and Charles Logue, Esquires, shall be and are hereby constituted a board of provisional directors of the said company, nine of whom shall form a quorum, and shall hold office as such until other directors shall be elected under the provisions of this act by the shareholders, and shall have power and authority to fill vacancies occurring therein, to open stock books and produce subscriptions for the undertaking, and to receive payment on account of stock subscribed, and make calls upon subscribers in

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respect of their stock, and to sue for and recover the same, and to cause surveys and plans to be made and executed, and to acquire any plans and surveys now existing, and to deposit in any chartered bank of Canada any sums of money, received by them on account of stock subscribed, and to withdraw the same for the purposes of the undertaking, and to receive for the company any gift made to it in aid of the undertaking, and to enter into any agreement respecting the conditions or disposition of any gift or bonus in aid of the railroad, which agreement shall be binding upon the company, and generally to do all such other acts as such board under the Quebec railway act, 1869, may lawfully do.

The said directors are hereby empowered to take all necessary steps for opening stock books for the subscriptions of parties desirous of becoming shareholders in the said company, and all parties subscribing to the capital stock of the said company, shall be considered proprietors and partners in the same.

6. When and so soon as one-tenth part of the capital stock, (which capital stock shall not be less than four hundred thousand dollars,) shall have been subscribed as aforesaid, either in municipal debentures, granted by way of bonus, or otherwise, or in ordinary subscriptions by individuals to the capital stock, or partly in such municipal debentures and partly in such subscriptions, and one-tenth of the amount so subscribed paid in, the said directors, or a quorum of them, may call a meeting of shareholders, at such time and place as they think proper, giving at least two weeks' notice in one or more papers, in English and French, published in the city of Ottawa, and one paper in French and English, in the county of Ottawa, if there be such, at which said general meeting, and at the annual general meetings in the following sections mentioned, the shareholders present, either in person or by proxy, shall elect not less than five, nor more than nine directors, in the manner and qualified as hereinafter provided, which said directors shall constitute a board of directors, and shall hold office until the first Wednesday in February, in the year following their election.

First meeting  
of shareholders  
and election  
of directors.

7. On the said first Wednesday in February, and on the first Wednesday in February in each year thereafter, at the principal office of the said company, there shall be held a general meeting of the shareholders of the company, at which meeting the said shareholders shall elect a like number of not less than five, nor more than nine directors, for the then ensuing year, in the manner and qualified as here-

Annual gen-  
eral meetings  
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after provided; and public notice of such annual meeting and election shall be published, for one month before the day of election, in one or more newspapers, in French and English, in the city of Ottawa, and one newspaper in French and English, if such there be, in the county of Ottawa, and the election of directors shall be by ballot, and the persons so elected shall form the board of directors.

Quorum of directors.

8. A majority of the directors shall form a quorum for the transaction of business, and the said board of directors as well as the provisional board of directors, may employ one or more of their number as paid director or directors; provided, however, that no person shall be elected unless he shall be the owner and holder of at least ten shares of the stock of the said company, and shall not be in arrear.

Qualification.

A municipality subscribing a certain amount to appoint a director during construction.

9. Any municipal council of a municipality, which has given a bonus in aid of the said railroad or its branches, amounting to not less than ten thousand dollars, shall be entitled during the construction of the railroad, but not afterwards, to appoint a person annually to be a director of the company, and such person shall be a director of the company, in addition to all the other directors authorized by this act, or by the Quebec railway act, 1869, or any other act, but such municipality shall incur no liability by the appointment of such director.

Municipalities taking stock to appoint directors.

10. Any municipal council of any municipality, holding stock in the said railroad, to the amount of not less than ten thousand dollars, shall be entitled to appoint one person annually to be a director of the company; and any municipal council of any municipality, holding not less than one hundred thousand dollars stock in the said railroad, shall be entitled to appoint annually two persons to be directors of the said company, and such person or persons shall be a director or directors of the said company in addition to all the other directors authorized by this act.

Calls by directors.

11. The directors may, at any time, call upon the shareholders for instalments upon each share which they, or any of them may hold in the capital stock of the said company, in such proportions as they may see fit, no such instalment exceeding ten per cent, and the directors shall give one month's notice of such call, in such manner as they may appoint.

Amount limited.

Power to acquire land for snow-fences, &c.

12. Notwithstanding anything contained in the Quebec railway act, 1869, the said directors may, with the permission of the railway committee of the Quebec Govern-

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ment, and under the powers and provisions of the said act, acquire and hold any width of land on the sides of the railroad and its branches on any point of the line, as may be needed, for the erection of snow drift fences or barriers, at a sufficient distance from the track, to prevent the obstruction of the line by drifting snow.

**13.** The company may, with the consent of the owners, <sup>Gravel pits.</sup> acquire and hold lands from which to obtain supplies of gravel, stone and filling required by the company for their works, and may sell and convey the same or any part thereof, when no longer required.

**14.** The company shall have power to sell, mortgage or <sup>Sale or mort-</sup> lease any lands belonging to it not necessary for the <sup>purpose of land.</sup> purposes of the said railroad, or received by it as a gift in aid.

**15.** The said company shall have power and authority <sup>Company may</sup> to become parties to promissory notes and bills of exchange <sup>become parties</sup> for sums not less than one hundred dollars, and any such <sup>to promissory</sup> promissory note, made or endorsed by the president or vice- <sup>notes, &c.</sup> president of the company, and countersigned by the secretary and treasurer of the company, and under the authority of a majority of a quorum of the directors, shall be binding on the said company, and every such promissory note or bill of exchange so made, shall be presumed to have been made with proper authority until the contrary be shown; and in no case shall it be necessary to have the seal of the said company affixed to such promissory note or bill of exchange, nor shall the said president or vice-president, or the secretary and treasurer, be individually responsible for the same, unless the said promissory note or bill of exchange have been issued without the sanction and authority of the board of directors, as herein provided and enacted; <sup>Proviso.</sup> provided, however, that nothing in this section shall be construed to authorize the said company to issue notes or bills of exchange payable to bearer, or intended to be circulated as money, or as the notes or bills of a bank.

**16** The directors of the said company are hereby author- <sup>Company may</sup> ized and empowered to issue bonds or debentures, which <sup>issue debentures charge-</sup> shall be and form a first charge on the undertaking, lands, <sup>able on the</sup> buildings, tolls and income of the company, or any, either, <sup>railroad.</sup> or all of them, as may be expressed by the said bonds or debentures, without the necessity for any enregistration thereof, and such bonds or debentures shall be in such form, and for such amount, and payable at such times and places, as the directors, from time to time may appoint and direct; and the payment to the treasurer of the company;



As to pay-  
ments on lands  
so charged.

or to any other person appointed for the purpose by any *bond fide* purchaser of the lands in the fourth and fourteenth sections of this act mentioned, of the purchase money thereof, and the acquittance of such treasurer, or other person so appointed, of such purchase money, shall operate as a discharge of such charge in respect of the lands so paid for; and, until other provisions be made therefor, the treasurer of such company, or other person so authorized, shall keep all moneys so received separate and apart from the ordinary funds of the company, and the money so received shall be invested, from time to time, in government securities, or in stock of some solvent and well established chartered bank in Canada, for the formation of a fund for the payment of the interest on such debentures as it becomes due, and for their redemption at maturity. The

Form of bonds;

said bonds or debentures shall be signed by the president or vice-president, and shall have the corporate seal of the company affixed thereto; provided that the amount of such bonds or debentures shall not exceed fifteen thousand dollars per mile, to be issued in proportion to the length of the railroad under contract, or to be constructed under and by virtue of this charter, but no such debentures shall be for a less sum than one hundred dollars.

Proviso:  
amount limit-  
ed.

**17.** The directors of the said company, elected by the shareholders, in accordance with the provisions of this act, shall have power and authority to enter into and conclude any arrangements with any other chartered railroad company, for the purpose of making any branch or branches to facilitate a connection between this company and any other chartered railroad company.

Company may  
lease their  
railroad, or  
lease that of  
another  
company, and  
make agree-  
ments for use  
of either  
railway, &c.

**18.** The company may enter into an agreement with any other chartered railroad company for leasing to such company the said railroad, or any part or branch thereof, or the use thereof at any time or times, and for any period, or for leasing or hiring as lessors or lessees, any locomotives, tenders, cars or other rolling stock or moveable property under such sanction as hereinafter mentioned, and generally to make any agreement or agreements with any such other company, touching the use of one or other, or by both companies of the railroad or rolling stock, or moveable property of either or both, or any part thereof, or touching any service to be rendered by the one company to the other, and the compensation therefor, and such leases, agreements and arrangements shall be valid and binding, and shall be enforced by all courts of law, according to the tenor and effect thereof, or such other railway company may agree to loan its credit to, or may subscribe to and become the owner



of the whole or a part of the stock of the railroad company hereby incorporated, in like manner and with the like rights as individuals; provided the said leases, agreements and arrangements, have been first respectively sanctioned by the majority of votes at special general meetings of the shareholders, called for the purpose of considering the same respectively, on due notice, given as of annual general meetings for the election of directors.

19. The said board of directors shall elect and appoint a president and a vice-president or vice-presidents, and the necessary officers, and fill up vacancies from time to time, but the said president and vice-presidents shall be elected annually, immediately after the election of directors, except that in filling up a vacancy the election may be made at any time.

20. The said board of directors are hereby authorized to take all necessary steps for procuring subscriptions for stock until the whole has been taken up, and to make, execute and deliver scrip and share certificates therefor, as they shall deem expedient.

21. Any deed of conveyance of land to the said company, shall be in the form of Schedule A, to this act annexed, and may be enregistered at full length, upon the affidavit of one of the witnesses to the execution thereof, made before one of the officers, usually authorized to receive the same, and a deed in such form, or in words of like import, shall be a legal and valid conveyance of the land and immovables therein mentioned, to all intents and purposes, and the registration thereof shall be of the same effect, as if such deed were executed before a notary.

22. The directors of the said company may, if they see fit, use wooden rails on any portion of the said railroad not exceeding one-half of its whole length, for any term not exceeding five years, when the said wooden rails shall be replaced by iron rails.

23. The powers given by this act shall be exercised by the directors of the said company, within three years after the passing of this act, and its completion within seven years therefrom.

24. This act shall be cited as the "Ottawa and Gatineau Valley Railroad Act."

## SCHEDULE A.

Know all men by these presents that I, A. B., in consideration of \_\_\_\_\_, paid to me by the Ottawa and Gatineau Valley Railroad Company, the receipt whereof is hereby acknowledged, grant, bargain, sell and convey unto the said Ottawa and Gatineau Valley Railroad Company, their successors and assigns, all that tract or parcel of land (*describe the land*) to have and to hold the said land and premises unto the said company, their successors and assigns for ever.

Witness my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_  
one thousand eight hundred and \_\_\_\_\_

Signed, sealed and delivered, }  
in presence of }  
C. D. } A. B. } (L. S.)  
E. F. } }

## C A P. X X V I I .

An Act to incorporate the Point Levis and Indian Cove Junction Railway Company.

[Assented to 23rd December, 1871.]

## Preamble.

**W**HEREAS, the persons hereinafter named and others, have petitioned for incorporation as a company, to construct the railway hereinafter described, and the construction of such railway would be of great benefit to the commerce, and for the general advantage of the province of Quebec, and it is expedient to grant their prayer; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Corporation  
and corporate  
name.

1. John Gilmour, Duncan Patton, William Rhodes, George Benson Hall, Honorable Thomas McGreevy, Peter Arnold Shaw, Honorable Joseph G. Blanchet, Jacques Jobin, Arthur H. Murphy, James Patton and Louis P. Demers, esquires, with all such other persons and corporations as shall become shareholders in the company hereby incorporated, shall be and are hereby constituted a body corporate and politic, by the name of the "Point Levis and Indian Cove Junction Railway Company."

Line of the  
railway.

2. The said company, and their agents, and servants,

may lay out, construct and finish, a double or single track, of iron or steel railway, of such width and gauge as the company may see fit, from some point on the Grand Trunk Railway, in the parishes of St. Michel or St. Charles, in the county of Bellechasse, by passing through the parish of St. Joseph of Levis, opposite Quebec, and to join the Grand Trunk in the town of Levis, or any other road in the same direction as the company may see fit.

3. The capital stock of the said company shall not exceed five hundred thousand dollars, with power to increase the same as provided by the Quebec railway act, 1869, to be divided into fifty thousand shares, of ten dollars each, which amount shall be raised by the persons hereinbefore named, and such other persons and corporations as may become shareholders in the said company, and the money so raised shall be applied, in the first place, to the payment of all fees, expenses and disbursements, for procuring the passage of this act, and for making the surveys, plans and estimates connected with the railway, and all the rest and remainder of such money shall be applied towards making, completing and maintaining the said railway, and other purposes of this act; provided always, that until the said preliminary expenses shall be paid out of the said stock, it shall be lawful for the municipality of any county, city, town or township interested in the railway, or otherwise, to pay out of the general funds of such municipality, such preliminary expenses, which sums shall be refunded to such municipality from the stock of the said company, or be allowed to them in payment of stock.

Capital stock and shares, and how to be applied.

4. The said John Gilmour, Duncan Patton, William Rhodes, George Benson Hall, Honorable Thomas McGreevy, Peter Arnold Shaw, Honorable Joseph G. Blanchet, Jacques Jobin, Arthur H. Murphy, James Patton and Louis P. Demers, esquires, shall be and are hereby constituted a board of directors of the said company, and shall hold office as such until other directors shall be appointed under the provisions of this act, by the shareholders, with power to open stock-books and procure subscriptions for the undertaking, to make calls upon the shareholders, to cause surveys and plans to be made and executed, to call a general meeting of shareholders for the election of other directors as hereinafter provided, and generally to do all such other acts as such board under the Railway Act may lawfully do.

Board of Directors constituted; their powers.

5. The said directors are hereby empowered to take all necessary steps for opening the stock books for the sub-

scriptions for stock.

scription of parties desirous of becoming shareholders in the said company, and all parties subscribing to the capital stock of the said company shall be considered proprietors and partners in the same, but shall be liable only to the extent of their stock therein.

When first  
general  
meeting shall  
be held.

6. When and so soon as one-tenth part of the said capital stock (which stock shall not be less than fifty thousand dollars) shall have been subscribed as aforesaid, and one-fifth of the amount so subscribed paid in, the said directors, or a majority of them, may call a meeting of shareholders at such time and place as they may think proper, giving at least two weeks notice in one or more newspapers published in the city of Quebec, and in the town of Levis, at which meeting, and at the annual general meeting in the following sections mentioned, the shareholders present, either in person or by proxy, shall elect nine directors in the manner and qualified as hereinafter provided, which said directors shall constitute a board of directors, and shall hold office until the first Monday in the month of July, in the year following their election, and the said directors may employ any of their number as paid officers of the company.

Annual elec-  
tion of directors  
by ballot.

7. On the said first Monday of July, and on the first Monday of July, in each year thereafter, at the principal office of the said company, there shall be holden a general meeting of the shareholders of the said company, at which meeting the said shareholders shall elect a like number of directors for the ensuing year, in manner and qualified as hereinafter provided, and public notice of such annual general meeting and election shall be published one month before the day of election in one or more newspapers published in the city of Quebec, and in the town of Levis, and the elections shall be by ballot; and the person so elected, together with the *ex-officio* directors under the said Quebec railway act, 1869, shall form the board of directors.

Quorum of  
directors and  
qualification.

8. Five directors shall form a quorum for the transaction of business, provided however that no person shall be elected a director unless he shall be the holder and owner of at least fifty shares of the stock of the said company, and shall have paid up all calls on the said stock.

One vote for  
each share.

9. In the election of directors under this act, and in the transaction of all business at general shareholders' meetings, each shareholder shall be entitled to as many votes as he holds shares upon which the calls have been paid up, and shall be entitled to vote either in person or by proxy.

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10. The directors may, at any time, call upon the share-  
holders for instalments upon each share which they, or  
any of them, may hold in the capital stock of the said com-  
pany, no such instalments shall exceed ten per cent, and  
one month's notice thereof, shall be given in such manner  
as the directors may appoint.

Calls on shares

11. The directors or a majority of them, may supply the  
place or places of any of their number, from time to time,  
dying or declining to act as such directors, from among  
the several persons being subscribers for, or owning and  
holding shares in the said company sufficient to qualify him  
or them to act as directors as aforesaid.

Directors may  
supply vacan-  
cies in their  
number from  
among quali-  
fied share-  
holders.

12. All deeds and conveyances of lands to the said com-  
pany for the purposes of this act, in so far as circumstances  
will admit, may be in the form given in schedule A, to this  
act subjoined, or in any other form to the like effect; and  
for the purpose of due enregistration of the same, all the regis-  
trars in their respective counties are required to be furnish-  
ed by, and at the expense of the said company, with a book  
with copies of the forms given in the said schedule A, one  
to be printed on each page, leaving the necessary blanks  
to suit the circumstances of each separate conveyance, and  
shall, upon the production and proof of due execution of  
any such conveyance, enter the same without any mem-  
orial, in the said book, and shall minute the enregistration  
or entry on the deed, and the registrar shall charge and  
receive, from the said company for all fees on every such  
enregistration, fifty cents, and no more, and such enregistra-  
tion shall be deemed to be valid in law, any statute or  
provision of law to the contrary notwithstanding.

Form of deeds  
of lands to the  
company, and  
registration  
thereof.

13. The said company shall have power and authority  
to become parties to promissory notes and bills of exchange  
for sums not less than one hundred dollars, and any such  
promissory note or bill of exchange, made or endorsed by  
the president and vice-president of the company, and  
countersigned by the secretary and treasurer of the said  
company, and under the authority of a majority of a quo-  
rum of the directors, shall be binding on the said company,  
and every such promissory note or bill of exchange so  
made, shall be presumed to have been made with proper  
authority, until the contrary be shewn; and in no case  
shall it be necessary to have the seal of the said company  
affixed to such promissory note or bill of exchange, nor  
shall the said president or vice-president, or the secretary  
and treasurer, be individually responsible for the same,  
unless the said promissory notes or bills of exchange have

Company may  
become parties  
to notes, &c.

been issued without the sanction and authority of the board of directors, as herein provided and enacted; provided, however, that nothing in this section shall be construed to authorize the said company to issue notes or bills of exchange payable to bearer, or intended to be circulated as money, or as the notes or bills of a bank.

Bonds for  
raising money  
by loan,  
bearing  
hypothec.

14. The directors of the said company shall have the power to issue their bonds or debentures, signed by the president or vice-president of the said company, and countersigned by the secretary-treasurer, and under the seal of the said company, for the purpose of raising money for prosecuting the undertaking, and such bonds shall be, and be considered to be, privileged claims upon the property and rolling stock of the said company, and shall bear hypothec upon the said railway, lands, buildings, bridges, or any, either or all of them, as may be expressed by the said bonds or debentures; and the said bonds or debentures shall form a first charge on the tolls and income of the company, or any portion of them, or on all, as may be expressed by the said bonds or debentures; provided that the amount of such bonds or debentures shall not exceed fifteen thousand dollars per mile, to be issued in proportion to the length of railway (bridges included) under contract, or to be constructed under and by virtue of this act, but no such bond or debenture shall be for a less sum than one hundred dollars.

Agreement  
with other  
companies.

15. It shall be lawful for the said company to enter into an agreement with the Grand Trunk Railway Company of Canada, and with the North Shore Railway Company, or with any other railway company, in the province of Quebec, for leasing the railway, or any part thereof, or the use thereof at any time or times, to such other company, for leasing or hiring to or from the said Grand Trunk Railway Company of Canada, or such other company, any railway or part thereof, or the use thereof, or for leasing to or hiring from such company or companies, any bridges, locomotives or movable property, or the use thereof, and generally to make any agreement or agreements with any such other company touching the use by one or the other or by both companies, of the railway or movable property of either or both, or any part thereof, or touching any service to be rendered by the one company to the other, and the compensation therefor, and such agreement shall be valid and binding, and shall be enforced by courts of law according to the terms and tenor thereof; or such other railway company may agree to loan its credit to, and become the owner of the whole or a part of the stock

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of the railway company hereby incorporated, in like manner and with like rights as individuals; provided the said leases, agreements and arrangements have been first respectively sanctioned by the majority of votes at a special general meeting of the shareholders, called for the purpose of considering the same respectively, on due notice given, as provided by the Quebec railway act, 1869.

16. The powers conferred by the present act shall wholly cease, if the works are not commenced within three years from the passing of this act, or if they are not finished and put in operation within eight years from the passing of the present act.

Cessation of powers after certain delay.

17. This act shall be subject to the said Quebec railway act, 1869, except in so far as the special provisions of this act may be inconsistent therewith.

Quebec Railway Act.

SCHEDULE A.

FORM OF DEED OF SALE.

Know all men by these presents that I, A. B., of do hereby, in consideration of me by the Point Levis and Indian Cove Junction Railway Company, the receipt whereof is hereby acknowledged, grant, bargain, sell and convey unto the said Point Levis and Indian Cove Junction Railway Company, their successors and assigns, all that tract or parcel of land (describe the land) the same having been selected and laid out by the said company for the purposes of their railway, to have and to hold the said land and premises unto the said company, their successors and assigns for ever.

paid to

Witness my hand and seal, this one thousand eight hundred and day of

Signed, sealed and delivered } A. B. (L.S.)  
in presence of }

CAP. XXVIII.

An Act to incorporate the Waterloo and Magog Railway Company.

[Assented to 23rd December, 1871.]

WHEREAS Ralph Merry, Samuel Hoyt, N. A. Beach, J. J. Webster, N. B. Wadleigh, M. W. Copp, A. H. Preamble.



Moore, H. H. Bachelder, James Taylor, Calvin Abbott, E. S. Mazurette, J. W. Merry, E. D. Newton, W. W. Oliver, esquires, and others, have petitioned that an act may be passed creating a company to be authorized to construct a railroad from Waterloo, in the county of Shefford, in the general direction of Stukely, Bolton and Magog, to connect with the Massawippi Valley Railway, and whereas it is expedient to grant the same; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Certain persons incorporated.

1. Ralph Merry, E. D. Newton, Samuel Hoyt, T. L. Hoyt, A. H. Moore, M. W. Copp, N. A. Beach, W. W. Oliver, G. O. Somers, esquires, with such other persons, corporations or municipalities as shall, under the provisions of this act, become shareholders in the company hereby incorporated, shall be, and are hereby ordained, constituted and declared to be a body corporate and politic, by and under the name of "The Waterloo and Magog Railway Company."

Power to construct railway on certain line.

2. The said company and their agents and servants shall have full power and authority, under this act, to lay out, construct, make and finish a double or single track wooden or iron railway at their own costs and charges, of such width or gauge as the company see fit, from the village of Waterloo, in the township of Shefford, or in the direction desired by the said company, from any point between the said village of Waterloo and the westerly boundary line of the township of Magog, thence to the outlet of Memphremagog lake, and thence to the town of Sherbrooke, or to such point as shall best secure a favorable connection with the Massawippi Valley Railway; and the said company shall have power and authority to construct the different sections of the said railway in such order as they see fit, keeping in view the general direction as hereinbefore provided.

Capital stock.

3. The capital stock of the said company shall not exceed in the whole the sum of one million of dollars, to be divided into ten thousand shares of one hundred dollars each, which amount shall be raised by the persons hereinbefore named, and such other persons and corporations as may become shareholders in the said stock, and the money so raised shall be applied, in the first place, to the payment of all fees, expenses and disbursements for procuring the passing of this act and for making the surveys, plans and estimates connected with the railway, and all the rest and remainder of such money shall be applied towards making, completing and maintaining the said railway and other purposes of this act; provided always that until the said

Proviso as to payment of



preliminary expenses shall be paid out of the capital stock, <sup>preliminary expenses.</sup> it shall be lawful for the municipality of any county, city, town or township interested in the said railway or otherwise, to pay out of the funds of such municipality such preliminary expenses, which sums shall be refunded to such municipality from the stock of the said company, or <sup>By municipalities.</sup> be allowed in payment of stocks.

4. Ralph Merry, E. D. Newton, Samuel Hoyt, T. L. Hoyt, <sup>Provisional directors.</sup> A. H. Moore, M. W. Copp, N. A. Beach, W. W. Oliver and G. O. Somers, esquires, shall be and are hereby constituted a board of directors of the said company, and shall hold office as such until other directors shall be appointed, under the provisions of this act, by the shareholders, and shall have power and authority, immediately after the passing <sup>Their powers.</sup> of this act, to open stock books and procure subscriptions for the undertaking, to make calls upon the subscribers, to cause surveys and plans to be made and executed, and, as hereafter provided, to call a general meeting of shareholders for the election of directors.

5. The said directors are hereby empowered to take all <sup>Opening stock books.</sup> necessary steps for opening stock books for the subscription of parties desirous of becoming shareholders in the said company, and all parties subscribing to the capital stock of the said company, shall be considered proprietors and partners in the same.

6. When and so soon as fifty thousand dollars shall have <sup>Meeting for election of first directors.</sup> been subscribed, as aforesaid, and five thousand dollars paid in on account of such shares, it shall and may be lawful for the said directors, or a majority of them, to call a meeting of shareholders at such time and place as they shall think proper, giving at least two weeks' notice in one or more newspapers published in the counties through which the said railway shall pass, at which said general meeting and at the annual general meetings in the following sections mentioned, the shareholders present, either in person or by proxy, shall elect nine directors in the manner, and qualified as hereinafter provided, which said nine directors shall constitute a board of directors, and shall hold office until the first Wednesday in September in the year following their election.

7. On the said first Wednesday in September, and on <sup>Meeting for election of subsequent directors.</sup> the first Wednesday in September in each year thereafter, at the principal office of the said company, there shall be holden a general meeting of the shareholders of the said company, at which meeting the said shareholders shall

elect nine directors for the then ensuing year, in manner and qualified as hereinafter provided; and public notice of such annual general meeting and election shall be published one month before the day of election, in one or more newspapers, published in the towns or counties along the line of railroad; and the elections for directors shall be by ballot, and the persons so elected, together with the *ex-officio* directors, under "the Quebec railway act, 1869," shall form the board of directors.

Quorum of directors.

8. Five directors shall form a quorum for the transaction of business, and the said board of directors may employ one or more of their number as paid director or directors; provided, however, that no person shall be elected a director unless he shall be the holder and owner of at least five shares of the stock of the said company, and shall have paid up all calls on the said stock.

Voting.

9. In the elections of directors under this act, and in the transaction of all business at general shareholders' meetings, each shareholder shall be entitled to as many votes as he holds shares upon which the calls have been paid up.

Calls on share

10. It shall and may be lawful for the directors, at any time, to call upon the shareholders for instalments upon each share which they, or any of them, may hold in the capital stock of the said company, in such proportion as they may see fit; no such instalment shall exceed ten per cent, and one month's notice thereof shall be given, in such manner as the directors may appoint.

Form of conveyance of land.

11. All deeds and conveyances of lands to the said company, for the purposes of this act, in so far as circumstances will admit, may be in the form given in schedule A, to this act subjoined, or in any other form to the like effect, and for the purposes of due enregistration of the same, all registrars, in their respective counties, are required to be furnished by, and at the expense of the said company, with a book with copies of the form given in the said schedule A, one to be printed on each page, leaving the necessary blanks, to suit the circumstances of each separate conveyance, and shall, upon the production and proof of due execution of any such conveyance, enter the same without any memorial, and shall minute the enregistration or entry on the deed; and the registrar shall charge and receive from the said company, for all fees on every such enregistration, fifty cents, and no more, and such enregistration shall be deemed to be valid in law, any statute or provision of law to the contrary notwithstanding.

Registration thereof.

12. The said company shall have power and authority <sup>Power to issue promissory notes.</sup> to become parties to promissory notes and bills of exchange, for sums not less than one hundred dollars, and any such promissory notes or bills of exchange made or endorsed by the president or vice-president of the company, and countersigned by the secretary and treasurer of the said company, and under the authority of a majority of a quorum of the directors shall be binding on the said company; and every such promissory note or bill of exchange so made, shall be presumed to have been made with proper authority, until the contrary be shewn; and in no case shall it be necessary to have the seal of the said company affixed to such promissory note or bill of exchange, nor shall the said president or vice-president, or the secretary and treasurer, be individually responsible for the same, unless the said promissory notes or bills of exchange have been issued without the sanction and authority of the board of directors, as herein provided and enacted; provided, however, that nothing in this section shall be construed to authorize the said company to issue notes or bills of exchange, payable to bearer, or intended to be circulated as money, or as the notes or bills of a bank.

13. The directors of the said company shall have the <sup>Power to issue bonds.</sup> power, upon being duly authorized thereto, by a vote of a majority of stockholders in the said company, present at any annual meeting in the month of September, or at any special meeting of stockholders called for said purpose, to issue their bonds, made and signed by the president and vice-president of the said company, and countersigned by the secretary and treasurer, and under the seal of the said company; for the purpose of raising money for prosecuting the undertaking, and such bonds shall be and be <sup>Bonds to be privileged.</sup> considered to be privileged claims upon the property of the said company, and shall bear hypothec upon the said railway without registration; provided, however, that no such bonds bearing such hypothec shall be issued until after the said sum of fifty thousand dollars, as provided by this act, shall have been expended in and upon the said railway; and provided also, that the whole amount raised <sup>Proviso.</sup> upon such bonds shall not exceed five hundred thousand dollars.

14. In case of refusal or neglect to pay the toll or freight <sup>Power to detain goods.</sup> due to the said company on any goods, they shall have the power to detain the same until the payment of such freight be made, and in the meantime such goods shall be at the risk of the owners, and if such goods be of a perishable nature, the said company shall have the right to sell the

To dispose of  
perishable  
goods.

same forthwith, on the certificate of two competent persons establishing the fact of their being so perishable; and if such goods are not of a perishable nature, and shall remain unclaimed for twelve months, the company may, after giving one month's notice in two newspapers nearest the place where the goods may be, dispose of the same by public auction, and the proceeds of the sale, after paying the said freight and the costs of sale, shall be handed over to the owner, if he shall claim the same.

As to agree-  
ments with  
other  
companies.

**15.** It shall be lawful for the said company to enter into any agreement with any other railway company, for leasing the said railway, or any part thereof, or the use thereof, at any time or times, to such other company, or for leasing or hiring, from such other company, any railway or any part thereof, or the use thereof, or for leasing or hiring any locomotives, tenders or movable property, and generally to make any agreement or agreements with any such other company touching the use by one or the other or by both companies, of the railroad or movable property of either or of both, or any part thereof, or touching any service to be rendered by the one company to the other, and the compensation therefor, and any such agreement shall be valid and binding, and shall be enforced by courts of law, according to the terms and tenor thereof.

Arrangements  
to connect  
with other  
companies.

**16.** The directors of the said company elected by the shareholders, in accordance with the provisions of this act, shall have power and authority to enter into and conclude any arrangements with any other chartered railway company, for the purpose of making any branch or branches to facilitate a connection between this company and such other chartered railway company, and shall have full power and authority to negotiate with any company having the chartered right of constructing a bridge across the St. Lawrence river, at or near the city of Montreal, for the right of using the said bridge for the purposes of the railway, and the advantage and benefit of the company hereby incorporated.

To use wild  
lands.

**17.** It shall and may be lawful for the said company to take and appropriate, for the use of the said railway, but not to alienate, any wild lands of the Crown along the line of the said railway, which may be necessary for the said railway, with the consent of the lieutenant-governor in council, and also so much of the land covered with the waters of any river, stream, lake or canal, as may be necessary for the works of the said railway; provided that if the said railway shall cross any navigable river or canal, it

shall not be lawful for the said company to obstruct the navigation of such river or the use of such canal.

SCHEDULE A.

FORM OF DEED OF SALE.

Know all men by these presents, that I, A. B., of do hereby, in consideration of paid to me by the Waterloo and Magog Railway Company, the receipt whereof is hereby acknowledged, grant, bargain, sell and convey unto the said Waterloo and Magog Railway Company, their successors and assigns, all that tract or parcel of land, (*describe the land*), the same having been selected and laid out by the said company for the purposes of their railway, to have and to hold the said land and premises unto the said company, their successors and assigns forever.

Witness my hand and seal, this day of , one thousand eight hundred and seventy

Signed, sealed and delivered in presence of

(L. S.)

A. B.

CAP. XXIX.

An Act to incorporate the Montreal, Chambly and Sorel Railway Company.

[Assented to 23rd December, 1871.]

WHEREAS the persons hereinafter named and others, Preamble. have petitioned for incorporation as a company, to construct the railway hereinafter described, and the construction of such railway would be of great benefit to the commerce and for the general advantage of the Province of Quebec, and it is expedient to grant their prayer; Therefore Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. Ashley Hibbard, Louis Adelard Sénécal, M.P., Samuel T. Willett, Michel Mathieu, Charles Gill, M.P.P., David Russ Wood, and Félix Geoffrion, M.P., esquires, with all such other persons and corporations as shall become shareholders in the company hereby incorporated, shall be and

Incorporation and corporate name.

are hereby constituted a body corporate and politic by the name of the "Montreal, Chambly and Sorel Railway Company."

Line of the railway.

2. The said company and their agents and servants, may lay out, construct and finish a double or single track of iron or steel railway, of such width and gauge as the company may see fit, from the town of Sorel, in the district of Richelieu, by the way of Chambly to the city of Montreal, or some point or points opposite or nearly opposite thereto, and from Chambly to the province line at or within half a mile of the village of Philipsburg, in the county of Missisquoi, passing through the town of St. Johns, or to join any other road in the same direction, and with the right of constructing such railway on either or partly on both sides of the river Richelieu, as the company may see fit, and building a bridge across the same.

Capital stock and shares, and how to be applied.

3. The capital stock of the said company shall not exceed two million dollars, divided into twenty thousand shares of one hundred dollars each, which amount shall be raised by the persons hereinbefore named, and such other persons and corporations as may become shareholders in the said company, and the money so raised shall be applied, in the first place, to the payment of all fees, expenses and disbursements for procuring the passage of this act, and for making the surveys, plans and estimates connected with the railway, and all the rest and remainder of such money shall be applied towards making, completing and maintaining the said railway, and other purposes of this act.

Board of directors constituted; their powers.

4. The said Ashley Hibbard, Louis Adelard Sénécal, M.P., Samuel T. Willett, Michel Mathieu, Charles Gill, M.P.P., David Russ Wood and Felix Geoffrion, M.P., esquires, shall be and are hereby constituted a board of directors of the said company, and shall hold office as such until other directors shall be appointed under the provisions of this act by the shareholders, with power to open stock books and procure subscriptions for the undertaking, to make calls upon the subscribers, to cause surveys and plans to be made and executed, to call a general meeting of shareholders for the election of other directors as hereinafter provided, and generally to do all such other acts as such board under the railway act may lawfully do.

Vacancies among provisional directors may be filled.

5. In the event of the resignation or death of one or more of the provisional directors, such director or directors shall be replaced by the other provisional directors, or a majority of them, and the director or directors so appointed

shall be held to be provisional directors, as if his or their names had been inserted in the first and fourth sections of this act.

6. The said directors are hereby empowered to take all necessary steps for opening the stock books for the subscription of parties desirous of becoming shareholders in the said company, and all parties subscribing to the capital stock of the said company shall be considered proprietors and partners in the same.

7. When and so soon as one-tenth part of the said capital stock (which capital stock shall not be less than five hundred thousand dollars) shall have been subscribed as aforesaid, and one-tenth of the amount so subscribed paid in, the said directors, or a majority of them, may call a meeting of shareholders at such time and place as they may think proper, giving at least two weeks' notice in one or more newspapers published in the town of Sorel and in the city of Montreal, at which meeting and at the annual general meeting, in the following sections mentioned, the shareholders present, either in person or by proxy, shall elect five directors in the manner and qualified as hereinafter provided, which said directors shall constitute a board of directors, and shall hold office until the second Wednesday in the month of January, in the year following their election, and the said directors may employ any of their number as paid officers of the company.

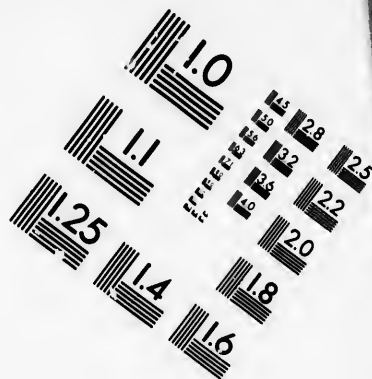
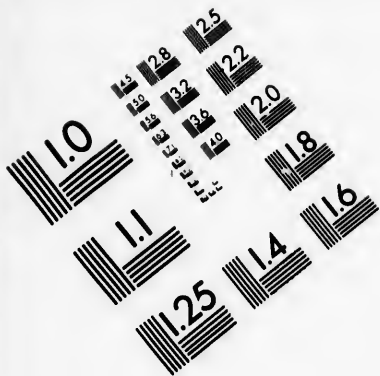
8. On the said second Wednesday in January, and on the second Wednesday in each year thereafter, at the principal office of the said company, there shall be holden a general meeting of the shareholders of the said company, at which meeting the said shareholders shall elect a like number of directors for the ensuing year, in manner and qualified as hereinafter provided, and public notice of such annual general meeting and election shall be published one month before the day of election in one or more newspapers published in the city of Montreal and the town of Sorel, and the elections shall be by ballot.

9. Four directors shall form a quorum for the transaction of business, provided however that no person shall be elected a director unless he shall be the holder and owner of at least ten shares of the stock of the said company, and shall have paid up all calls on the said stock.

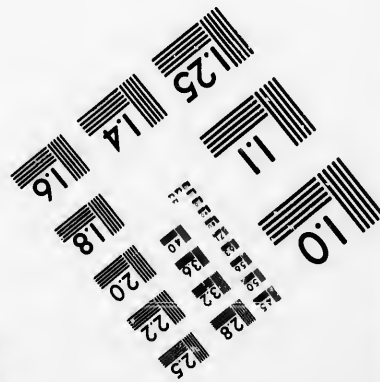
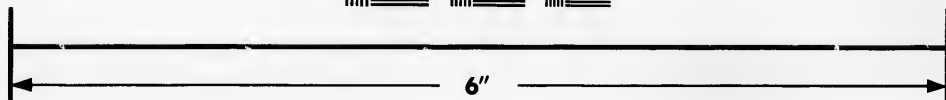
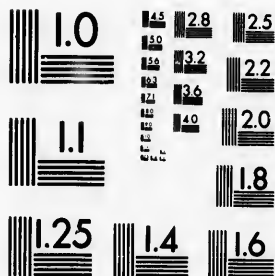
10. In the election of directors under this act, and in the transaction of all business at general shareholders' meetings, one vote shall be given for each share.







**IMAGE EVALUATION  
TEST TARGET (MT-3)**



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Corporation**

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meetings, each shareholder shall be entitled to as many votes as he holds shares upon which the calls have been paid up.

**11.** The directors may, at any time, call upon the shareholders, for instalments upon each share which they, or any of them, may hold in the capital stock of the said company, no such instalments shall exceed ten per cent, and one month's notice thereof shall be given in such manner as the directors may appoint.

Forms of deeds  
of lands to the  
company and  
registration  
thereof.

**12.** All deeds and conveyances of lands to the said company for the purposes of this act, in so far as circumstances will admit, may be in the form given in schedule A, to this act subjoined, or in any other form to the like effect, and for the purpose of due enregistration of the same, all the registrars in their respective counties are required to be furnished by, and at the expense of the said company, with a book with copies of the forms given in the said schedule A, one to be printed on each page, leaving the necessary blanks to suit the circumstances of each separate conveyance, and shall, upon the production and proof of due execution of any such conveyance, enter the same without any memorial, in the said book, and shall minute the enregistration or entry on the deed, and the registrar shall charge and receive, from the said company for all fees, on every such enregistration, fifty cents, and no more, and such enregistration shall be deemed to be valid in law, any statute or provision of law to the contrary notwithstanding.

Bonds for  
raising money  
by loan, bear-  
ing hypothec.

**13.** The directors of the said company shall have the power to issue their bonds or debentures, signed by the president and vice-president of the said company, and countersigned by the secretary and treasurer, or the secretary-treasurer, as the case may be, and under the seal of the said company, for the purpose of raising money for prosecuting the undertaking, and such bonds shall be and be considered to be privileged claims upon the property and rolling stock of the said company, and shall bear hypothec upon the said railway, lands, buildings, bridges, or any, either, or all of them, as may be expressed by the said bonds or debentures; and the said bonds or debentures shall form a first charge on the tolls and income of the company, or any portion of them, or on all, as may be expressed by the said bonds or debentures; provided that the amount of such bonds or debentures shall not exceed seventeen thousand dollars per mile, to be issued in proportion to the length of railway (bridges included) under contract, or to be constructed under and by virtue of this

act, but no such bond or debentures shall be for a less sum than one hundred dollars.

14. It shall be lawful for the said company to enter into an agreement with the Grand Trunk Railway Company of Canada, and with the Richelieu, Drummond and Arthabaska Counties Railway Company, or with any other railway company, in the province of Quebec, for leasing the railway, or any part thereof, or the use thereof, at any time or times, to such other company, or for leasing or hiring to or from the said Grand Trunk Railway Company of Canada, or such other company, any railway or part thereof, or the use thereof, or for leasing to or hiring from such company or companies, any bridge, locomotives or movable property, or the use thereof, and generally to make any agreement or agreements with any such other company touching the use by one or the other or by both companies, of the railway or movable property of either or both, or any part thereof, or touching any service to be rendered by the one company to the other, and the compensation therefor, and such agreement shall be valid and binding, and shall be enforced by courts of law according to the terms and tenor thereof; or such other railway company may agree to loan its credit to, and become the owner of the whole or a part of the stock of the railway company hereby incorporated, in like manner and with like rights as individuals; provided the said leases, agreements and arrangements have been first respectively sanctioned by the majority of votes at a special general meeting of the shareholders, called for the purpose of considering the same respectively, on due notice given, as provided by the Railway Act of 1869.

15. The said company shall commence their works and complete the grading of ten miles of the said railway between St. John's and Sorel within one year from the passing of this act, and shall prosecute their said works, so that the said railway shall be completed and put in running order between St. John's, Chambly, Sorel, Montreal and Philipsburg, or within half-a-mile of the said village, within four years from the date of the passing of this act—the whole under pain of loss and deprivation of all the rights conferred upon them by this act.

16. The provisions of the municipal code of the province of Quebec, relative to the subscription, aid or bonus to be granted by municipalities to railway companies shall apply and be extended for the purposes of this act, to the towns of St. John's, Sorel, St. Ours and Iberville—the first article of the said code to the contrary notwithstanding.

Agreement  
with other  
companies.

Certain provisions of the municipal code to apply to certain towns.

Works to be commenced within one year and certain portion of railway to be in operation within four years.

## SCHEDULE A.

## FORM OF DEED OF SALE.

Know all men by these presents, that I, A. B., of \_\_\_\_\_ do hereby and in consideration of \_\_\_\_\_ paid to me by the Montreal, Chambly and Sorel Railway Company, the receipt whereof is hereby acknowledged, grant, bargain, sell and convey unto the said Montreal, Chambly and Sorel Railway Company, their successors and assigns, all that tract or parcel of land (*describe the land*) the same having been selected and laid out by the said company for the purpose of their railway, to have and to hold the said land and premises, unto the said company, their successors and assigns for ever.

Witness my hand and seal, this \_\_\_\_\_ day of \_\_\_\_\_ one thousand eight hundred and \_\_\_\_\_

Signed, sealed and delivered } A.B.  
in presence of } (L.S.)

## CAP. XXX.

An Act to further amend the Charter of the *Richelieu, Drummond and Arthabaska Counties Railway Company*.

[Assented to 23rd December, 1871.]

## Preamble.

WHEREAS the *Richelieu, Drummond and Arthabaska Counties Railway Company* have, under the provisions of their charter for the convenience of the general public, constructed a bridge over the river *Yamaska*, adapted to the passage of horses, vehicles and foot passengers, and are now constructing a similar bridge across the river *St. Francis*, at *Drummondville*; and whereas the construction of such bridges entails a heavy extra outlay on the part of the company, and it is only right and just that the said company should have the exclusive right usually accorded to the proprietors of such bridges, of crossing and ferrying the public over the said rivers, within a certain distance above and below the said bridges, as prayed for by the said company; Therefore, Her Majesty, by and with the advice and consent of the Legislature of *Quebec*, enacts as follows :

1. So soon as the Richelieu, Drummond and Arthabaska Counties' Railway Company shall have constructed bridges across the rivers Yamaska and St. Francis, at the villages of Yamaska and Drummondville respectively, adapted to the passage of horses, vehicles and foot passengers, and as long as the same shall be passable and open for the use of the public, no person or company other than the Richelieu, Drummond and Arthabaska Counties' Railway Company, shall erect or cause to be erected any bridge or bridges, nor use, by way of ferry, any boat or vessel of any kind for the carrying of any person, cattle or vehicle whatsoever, for hire or otherwise, across either of the said rivers, within the distance of two miles above and two miles below either of the said bridges so constructed, or to be constructed by the said company, and if any person shall erect a bridge or bridges of any kind, or establish a ferry of any kind, or ferry over or upon either of the said rivers within the said limits, he shall pay to the said company triple the amount of tolls which the said company may have the right to impose under the provisions of their charter on all persons availing themselves of the said respective bridges of the said company, for each and every person, horse, cattle or other animal or vehicle which shall pass over any such bridge or ferry so erected, or established in contravention of this act.

When company shall have completed certain bridges, &c., they shall have exclusive right of conveyance across the rivers Yamaska and St. Francis within certain limits.

Liability of persons infringing said right.

2. If the municipalities of the parish of Yamaska, and the village of St. Michel de Yamaska require it, the said company shall be bound to pay them each year an amount equal to that which they have until now received annually for the ferrys actually existing within their respective limits.

Certain municipalities may demand certain amounts from the company.

CAP. XXXI.

An Act to incorporate the Philipsburg, Farnham and Yamaska Railway Company.

[Assented to 23rd December, 1871.]

WHEREAS Jonathan W. Eaton, Thomas R. Roberts, Malcolm R. Meigs, M.D., Robert McCorkill, P. L. G. Auger, Antoine Casavant, A. Beauchamp, J. B. Bourgeois, E. Lafontaine, Nathaniel C. Fisk, F. X. Cadieux, Gaspard A. Massue, Norbert Fagnant and Louis Marin, père, esquires, and others, have petitioned for incorporation as a company to construct the railway hereinafter described, and the construction of such railway would be of great benefit

Preamble.

to the commerce and for the advantage of the several districts through which the said railway would pass, and would be of great utility, and would afford railway communication to a large section of country now without the same, and afford increased facilities for colonization; and whereas it is expedient to grant the prayer of the said petition; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Certain persons incorporated.

1. Jonathan W. Eaton, Malcolm R. Meigs, M.D., Robert McCorkill, Nathaniel C. Fisk, Antoine Casavant, J. B. Bourgeois, advocate, E. Lafontaine, P. L. G. Auger, F. X. Cadieux, Gaspard A. Massie, Norbert Fagnant, P. S. Gendron, M.P.P., Antoine Cabana, Euclide Roy, Louis Cusson, André Bélanger, George Casimir Dessaulles, William Willard Smith, Josiah Sandford Brigham and Thomas Russel Roberts, esquires, with all such other persons and corporations as shall become shareholders in the company hereby incorporated, shall be and are hereby constituted a body corporate and politic, by the name of "The Philipsburg, Farnham and Yamaska Railway Company."

Power to construct railway over a certain line.

2. The said company and their servants shall have full power and authority to lay out, construct, make and finish a double or single track iron or steel railway, of such width or gauge as the company sees fit, from the waters of Missisquoi Bay at some point in the parish of St. Armand west or village of Philipsburg, in the county of Missisquoi, with the right of extending the same to the province line in said parish, and running by way of Bedford and Farnham, in said county, in a northerly direction, on the east side of Yamaska river, and passing through the counties of Rouville, St. Hyacinthe, Bagot, Drummond, Richelieu, Yamaska and Nicolet, as far as the river St. Lawrence opposite Three Rivers, and shall also have power to construct the said railway in the town of St. Hyacinthe or its neighborhood to the west of the said river Yamaska, if they think proper.

and branch lines.

Capital of the company.

3. The capital stock of the said company shall be the sum of one million dollars, (with power to increase the same as provided by the Quebec Railway Act, 1869), to be divided into twenty thousand shares of fifty dollars each, which amount shall be raised by the persons hereinbefore named, and such other persons and corporations as may become shareholders in such stock, and the money so raised shall be applied in the first place towards the payment of all fees, expenses and disbursements, for pro-

Application thereof.

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1871. *Philipsburg, Farnham & Yamaska Railway. Cap. 31.*

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curing the passing of this act, and for making the surveys, plans and estimates, connected with the railway, and all the rest and remainder of such money shall be applied towards the making, completing and maintaining the said railway and other purposes of this act; provided always, that until the said preliminary expenses shall be paid out of the capital stock, it shall be lawful for the municipality of any county, city, town or township or parish interested in the railway, or otherwise, to pay out of the general funds of such municipality, such preliminary expenses, which sums shall be refunded to such municipality from the stock of the said company, or be allowed to them in payment of stock.

4. Jonathan W. Eaton, Malcolm R. Meigs, M.D., Robert McCorkill, P. L. G. Auger, Antoine Casavant, J. B. Bourgeois, advocate, E. Lafontaine, Nathaniel C. Fisk, F. X. Cadieux, Gaspard A. Massé, Norbert Fagnant, P. S. Gendron, M.P.P., Antoine Cabana, Euclide Roy, Louis Cusson, André Bélanger, George Casimir Dessaulles, William Willard Smith, Josiah Sandford Brigham and Thomas Russel Roberts, esquires, are hereby constituted and appointed the first board of directors of the company, and any nine of them shall form a quorum for the transaction of business. Provisional<sup>r</sup> directors.

5. The said directors are hereby empowered to take all necessary steps for opening the stock books for the subscriptions of persons desirous of becoming shareholders in the said company, and all persons subscribing to the capital stock of the said company, shall be considered proprietors and partners in the same, but shall be liable only to the extent of their stock therein. Their powers.

6. All manufacturing or other corporations carrying on their operations in whole or in part within the counties traversed or to be traversed by the said line of railway, whether incorporated by special act or under any general act, may subscribe for or otherwise acquire and may hold any number of shares of the capital stock of the said company, and may dispose of the same at pleasure. Certain com-  
panies may  
take shares.

7. When and so soon as one-tenth part of the said capital stock shall have been subscribed as aforesaid, and so soon as one-tenth part of the subscribed stock shall be paid up, it shall and may be lawful for the said directors or any nine of them, to call a meeting of the shareholders at such place in the city of St. Hyacinthe, and at such time as they may think proper, giving at least fifteen days' notice in both lan- Meeting for  
election of  
first directors.



gauges in one or more newspapers published in each of the judicial districts through which said railway passes, at which general meeting, and at the annual general meetings in the following sections mentioned, the shareholders present either in person or by proxy, shall elect nine directors in the manner and qualified as hereafter provided, which said nine directors shall constitute a board of directors, and shall hold office until the first Monday of March in the year following their election.

Meetings for election of subsequent directors.

8. On the said first Monday of March, and on the first Monday of March in each year thereafter, shall be holden a general meeting of the shareholders of the said company, at the principal office of the said company, at which meeting the shareholders shall elect nine directors for the then ensuing year, in the manner and qualified as hereinafter provided. And public notice of such annual general meeting shall be published in both languages fifteen days before the day of election in one or more newspapers published in each judicial district, upon the line of the said railway, and the elections of directors shall be by ballot, and the persons so elected, shall form the board of directors.

Quorum of directors.

9. Five directors shall form a quorum for the transaction of business, and the said board of directors may employ one or more of their number as paid director or directors; provided, however, that no such person shall be elected a director unless he shall be the holder and owner of at least ten shares of the stock of the said company, and shall have paid up all calls on the said stock.

Form of conveyances.

10. All deeds and conveyances of lands to the said company, for the purposes of this act, in so far as circumstances will admit, may be in the form given in schedule A, to this act subjoined, or in any other form to the like effect, and for the purposes of due enregistration of the same all registrars in their respective counties, shall be furnished by, and at the expense of the said company, with a book, with copies of the forms given in the said schedule A, one to be printed on each page, leaving the necessary blanks to suit the circumstances upon each separate conveyance, and shall, upon the production and proof of the due execution of any such conveyance, enter the same in the said book without any memorial, and shall minute the enregistration or entry on the deed, and the registrar shall charge and receive from the said company, for all fees on every such registration, fifty cents and no more, and such enregistration shall be deemed to be valid in law, any statute or provision of law to the contrary notwithstanding.

Registration thereof.

Charges for registration.

11. The directors of the said company shall have the power, upon being duly authorized thereto, by a vote of a majority of stockholders in the said company present at any annual meeting in the month of March, for the purpose of electing directors, or at any special meeting called for the purpose, having had fifteen days' notice in both languages in one or more newspapers in each judicial district upon the line of the road, to issue their bonds made and signed by the president and vice-president of the said company, and countersigned by the secretary and treasurer, and under the seal of the said company, for the purpose of raising money for prosecuting the undertaking, and such bonds shall be and be considered to be privileged claims upon the property of the said company, and shall bear hypothec upon the said railway without registration; provided, however, that no such bonds bearing such hypothec, shall be issued until after twenty-five per cent of the whole capital stock of the said company, as provided by this act, shall have been expended in and upon the said railway, and provided also that the amount raised upon such bonds shall not exceed three hundred and fifty thousand dollars, unless and until the capital stock shall be increased, and thereafter the amount of said bonds so to be issued, shall not exceed the proportion of sixteen thousand dollars for each mile in length of said road.

Power to issue debentures.

Hypothec without registration. Proviso.

Proviso.

12. The said company shall have power and authority to become parties to promissory notes and bills of exchange, for sums not less than one hundred dollars, and any such promissory note made or endorsed, or any such bill of exchange, drawn, accepted or endorsed, by the president or vice-president of the company, and countersigned by the secretary and treasurer of the said company, and under the authority of a quorum of the directors, shall be binding on the said company; and every such promissory note or bill of exchange so made, shall be presumed to have been made with proper authority, until the contrary be shewn; and in no case shall it be necessary to have the seal of the said company affixed to such promissory note or bill of exchange, nor shall the president or vice-president or the secretary or treasurer, be individually responsible for the same, unless the said promissory notes or bills of exchange have been issued without the sanction and authority of the board of directors, as herein provided and enacted.

Power to issue promissory notes.

without individual responsibility.

13. The directors or a majority of them may supply the place or places of any of their number, from time to time, dying or declining to act as such directors, from among

Vacancies among directors.

the several persons being subscribers for, or owning and holding shares in the said company, sufficient to qualify him or them to act as directors as aforesaid, said director or directors so appointed to hold office till the next annual meeting, in the month of March following.

As to agree-  
ments with  
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panies.

14. It shall be lawful for the said company to enter into any agreement with any other railway company, for leasing the said railway or any part thereof, or the use thereof, at any time or times, or for any period, to such other company, or for leasing from such other company any railway, or part thereof, or the use thereof, or for the leasing or hiring any locomotives, tenders or movable property, and generally to make any agreement or agreements with any such other company, touching the use by one or the other, or by both companies of the railway, or movable property of either or both or any part thereof, or touching any service to be rendered by the one company to the other and the compensation therefor; and any such agreement shall be valid and binding, and shall be enforced by courts of law according to the terms and tenor thereof.

15. The said railway shall be commenced *bonâ fide* within two years and completed within six years from the date of the passing of this act.

#### SCHEDULE A.

##### FORM OF DEED OF SALE.

Know all men by these presents, that I, A. B., of  
do hereby and in consideration of  
paid to me by the Philipsburg, Farnham and Yamaska  
Railway Company, the receipt whereof is hereby acknow-  
ledged, grant, bargain, sell and convey unto the said  
Philipsburg, Farnham and Yamaska Railway Company,  
their successors and assigns, all that tract or parcel of land  
(*describe the land*) the same having been selected and laid  
out by the said company for the purpose of their railway;  
to have and to hold the said land and premises unto the  
said company, their successors and assigns for ever.

Given under my hand and seal, this \_\_\_\_\_ day of  
one thousand eight hundred and \_\_\_\_\_

Signed, sealed and delivered } A.B.  
in presence of } (L.S.)

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CAP. XXXVII.

An Act to amend the act incorporating the Montreal City Passenger Railway Company, of Montreal.

[Assented to 23rd December, 1871.]

WHEREAS it has been represented by the said company, by its petition, that it would be for the advantage of the said company and the citizens of Montreal, that the said company should have the privilege of reducing the gauge of its railway, and have prayed for an amendment to their act of incorporation, authorizing them to reduce the said gauge; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. The Montreal City Passenger Railway Company, of Montreal, is hereby authorized, from time to time, as may be convenient, to reduce the gauge of its railway, in the city of Montreal and its neighborhood, to such uniform gauge, not less than two feet six inches in width, as may be determined upon by the company; provided always that before effecting any change of gauge within the limits of the city of Montreal, the resolution of the said company, authorizing such change without any other formality, shall be submitted to the corporation of the city of Montreal, for its approval, without which approval the present act shall be inoperative and of no effect, and it will not be in the power of the said company to make use of the said new gauge out of the limits of the said city, in and upon any road or roads in the possession of the trustees of the Montreal turnpike roads, unless the said company be previously authorized to that effect by the said trustees; provided also, that the said corporation of the city of Montreal and the said trustees may impose on the said company such restrictions as they may deem necessary as a condition of such consent.

*P. Cambia.*

*Company may reduce the gauge of its railway with the consent of the corporation or of the road trustees as the case may be,*

*Proviso.*

2. The determination of the company to change its said railway in conformity with this act, shall be expressed at an annual meeting of the shareholders of the said company, or at some special meeting of shareholders called for that purpose, which purpose shall be expressed in the advertisement and notice calling such meeting, and such determination may be contained in a resolution or by-law passed at such meeting in the way in which the said shareholders of the said company are authorized to resolve or vote at such meeting.

*How determination to that effect shall be expressed and made public.*

## CAP. XLII.

An Act to provide for the granting of aid to certain Railway Companies.

[Assented to 24th December, 1872.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

10,000 acres of land per mile of railway may be granted to the Baie des Chaleurs R. Co.

1. The lieutenant-governor in council may, subject to the provisions of the next following section, grant to "The Bay of Chaleurs Railway Company," for the construction of its railway, from a point on the Intercolonial railway, in the vicinity of the Matapedia River, to New Carlisle, and the Bay of Paspebiac, and of its extension to Gaspé Basin, ten thousand acres of land for each mile of such railway, the said land to be chosen within the limits of the counties of Rimouski, Gaspé and Bonaventure; and the lieutenant-governor in council may, for the purposes aforesaid, select the lands to be so granted, from and out of the unoccupied lands of the crown in the said counties.

Conditions of said grant.

2. The said company shall be entitled to the said grant upon the following conditions only :

The said railway shall be begun within five years from the passing of this act ;

The said railway shall have been completed and put into operation within the time fixed by the act of incorporation thereof ;

The lieutenant-governor in council, if he thinks proper, may nevertheless, when it is established that the said company is actively engaged in the construction of its works, confer upon it, for each twenty-five miles of the said road completed, a grant of land corresponding to such length of road.

Similar grant may be made to the Montreal Northern Colonization R. Co.

3. The lieutenant-governor in council may, subject to the provisions of the next following section, grant to "The Montreal Northern Colonization Railway Company," with a view of aiding in the construction of that part of the road lying between Aylmer and Deep River, ten thousand acres of land for each mile in length of the said portion of the railway, and such grants shall be taken from within the limits of the counties of Argenteuil, Ottawa and Pontiac; and the lieutenant-governor in council may, for the purpose aforesaid, select the lands to be so granted, from and out of the unoccupied lands of the crown in the said counties.

Conditions of said grant.

4. The said company shall be entitled to the said grant upon the following conditions only :

The said railway shall be begun within five years from the passing of this act;

The said section of the said railway, from Aylmer to Deep River, shall have been completed and put into operation to the entire satisfaction of the lieutenant-governor in council;

Nevertheless, the lieutenant-governor in council may, if he thinks proper, when it is established that the said company is actively engaged in the construction of the work, grant unto the same, as soon as twenty-five miles of such section of road shall have been completed, a part of the said lands in proportion to such length of road.

5. In case the last named company shall not have, *bonâ fide*, commenced to build its railway or section of railway, as above mentioned, within two years following the first day of January next, then and in that case, it shall forfeit all claims to land under this act.

6. Notwithstanding anything to the contrary contained in the act, thirty-second Victoria, chapter fifty-two, whenever one continuous half of any of the following mentioned railways, viz: the Philipsburg, Farnham and Yamaska railway company, the Waterloo and Magog railway company, the Missisquoi and Black Rivers Valley railway company, the Quebec Frontier railway company, or any continuous portion of such railways, not less than twenty-five miles in length, shall be completed and put in operation, the lieutenant-governor in council may, on demand of the company, pay for every such half, or for any such length of road, the full amount of the subsidy mentioned in the said act, in proportion to the number of miles so completed, and the operations shall be begun on each of said railways, within two years, and completed within five years from the date of the passing of this act.

7. Such payment may be made either in money or by means of capitalized government debentures, and the provisions of sub-sections four, five, six, seven and eight, of section five of the said act, shall apply to the said debentures, in the same manner as to the converted debentures, mentioned in the said sub-sections, and shall subject the company and the railway, and all the properties and appurtenances thereof, to the same obligations, conditions and lien, as they would have been subject to, in the case of the payment of the annual subsidy, or of debentures having been issued, in virtue of the said act.

8. The delay granted to the Montreal Northern Colonial Railway to be commenced within two years following the first day of January next, then and in that case, it shall forfeit all claims to land under this act.

to Mont. N.  
Col. R. Co. by  
sec. 17 of 34  
V., c. 21,  
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zation railway company, by section seventeen of the act thirty-fourth Victoria, chapter twenty-one, is extended until the first day of May, eighteen hundred and seventy-four, and in case the said company shall not have commenced to build its railway within the period mentioned, it shall forfeit all claims to land under the said act and under this act.

Delay granted  
to St. Fr. &  
Megantic R.  
Co., by sec. 4  
of 38 V., c. 27,  
extended.

9. The delay granted to the St. Francis and Megantic International railway company, by section four of the act thirty-fifth Victoria, chapter twenty-three, is extended until the first day of January, eighteen hundred and seventy-four.

### CAP. XLIII.

An Act to incorporate the "Bay of Chaleurs Railway Company."

[Assented to 24th December, 1872.]

Preamble.

**WHEREAS**, T. Robitaille, M.P., R. H. Montgomery, Wm. McPherson, George Fallu, Barnabas McGie, Oswald Day, Alexis Poirier, L. J. Riopel, Louis Robitaille, M.D., James Robertson, William Robertson, F. S. Cyr, Ludger Lucier, François Giroux, Joseph Rousseau, Melvin Adams and Daniel Fraser, have, by petition, prayed for incorporation as a company for building the railway hereinafter described, and whereas the building of such railway would be of great benefit to the commerce and prosperity of that part of the country through which the said railway would pass, and would be the best means of promoting colonization therein; and whereas it is expedient to grant the prayer of the said petition; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Certain persons incorporated.

1. T. Robitaille, M.P., R. H. Montgomery, Wm. McPherson, George Fallu, Barnabas McGie, Oswald Day, Alexis Poirier, L. J. Riopel, Louis Robitaille, M.D., Jas. Robertson, Wm. Robertson, F. S. Cyr, Ludger Lucier, François Giroux, Jos. Rousseau, Melvin Adams, Daniel Fraser, with all such persons and corporations as shall become shareholders in the company hereby incorporated, shall be and are hereby constituted a body corporate and politic, by the name of "The Bay of Chaleurs Railway Company."

Powers of company.

2. The said company and their servants shall have full power and authority to lay out, construct, make and finish



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a double or single track iron or steel railway, from some point on the said Intercolonial Railway in the vicinity of the Métapédiac river to New Carlisle and the bay of Paspébiac, with the right of extending the same to Gaspé Basin; the said company shall have the power to acquire and possess, for the service and conveyance of passengers and freight, in connection with the said railway, such steamers and vessels as they may deem desirable or necessary in their interest.

3. The capital stock of the said company shall be the sum of three million of dollars (with power to increase the same as provided by the Quebec railway act, 1869), to be divided into sixty thousand shares of fifty dollars each, which amount shall be raised by the persons hereinbefore named, and such other persons and corporations as may become shareholders in such stock, and the money so raised shall be applied in the first place towards the payment of all fees, expenses and disbursements, for procuring the passing of this act, and for making the surveys, plans and estimates connected with the railway, and all the rest and remainder of such money shall be applied towards the making, completing and maintaining the said railway, the payment of interest on the sums paid up at the rate of no more than six per cent, during the continuance of the works and other purposes of this act; provided always, that until the said preliminary expenses shall be paid out of the capital stock, it shall be lawful for the municipality of any county, town, village, parish or township interested in the railway, or otherwise, to pay out of the general funds of such municipality such preliminary expenses, which sums shall be refunded to such municipality from the stock of the said company, or be allowed them in payment of stock.

Capital stock

4. Théodore Robitaille, M.P., Robert H. Montgomery, George Fallu, Daniel Fraser, Alexis Poirier, François Giroux, Oswald Day, James Robertson, and Louis Robitaille, M.D., are hereby constituted and appointed the first board of directors of the said company, and until others are appointed, in the manner hereinafter prescribed, they shall form the board of directors of the company, and any five of them shall form a quorum for the transaction of business.

First directors.

5. The said directors are hereby empowered to take all necessary steps for opening the stock books for the subscriptions of parties desirous of becoming shareholders in the said company, and all persons subscribing to the capital stock of the said company, shall be considered proprietors

Stock books, and liability of stockholders.



and partners in the same, but shall be liable only to the extent of their stock therein.

Meetings for election of directors.

6. When and so soon as one-tenth part of the capital stock shall have been subscribed as aforesaid, and as soon as one-tenth part of the subscribed stock shall have been paid up, it shall and may be lawful for the directors, or any five of them, to call a meeting of the shareholders, at such place and time as they think proper, by giving at least one month's notice in both languages in one or more newspapers published in the district of Gaspé or in the city of Quebec, at which general meeting, the shareholders present, either in person or by proxy, shall elect nine directors, qualified as hereinafter provided, by ballot, and at the following annual general meetings the said shareholders present, either in person or by proxy, shall elect three directors, in the manner and qualified as hereinafter prescribed, and the said directors shall constitute the board of directors, and shall remain in office until they are replaced as hereafter mentioned.

Annual meetings to replace directors retiring.

7. On the second Tuesday of July, in the year following the said election, shall be holden a general meeting of the shareholders of the said company, at which meeting the shareholders present, as hereinabove stated, shall elect three directors to replace three who shall go out of office, which three shall be elected for three years, and on the second Tuesday of July, in the following year, shall be holden another general meeting for the election of three directors to replace three from the six who shall have remained in office from the first election, and in the third year, the remaining three shall go out of office, and so on, annually, so that all the elections of directors, with the exception of the first, shall be made for three years.

What directors shall retire.

The first nine directors elected together, shall draw lots to decide which three of them shall first go out of office, and such drawing shall take place before the notice calling the annual meeting is published, and the said notice shall contain the names of the three directors going out of office, and to be replaced, and the six other directors shall also draw lots in the following year to decide which three of them shall go out of office, and the notice calling the general meeting, shall contain every year the names of the three directors going out of office, but the same may be re-elected; the notice of each annual meeting shall be given during a month in one or more newspapers published in the district of Gaspé or city of Quebec, and the election of directors shall be made by ballot, and the persons so elected, together with those remaining in office, shall constitute the board of directors.

Names of retiring directors to be published.

Election to be by ballot.

8. Five directors shall form a quorum for the transaction of business, and the said board of directors may employ one or more of their number as paid director or directors; provided however that no person shall be elected a director unless he shall be the holder and owner of at least ten shares of the stock of the said company, and shall have paid up all calls on the said stock at the time of his election.

Quorum.  
Proviso.

9. All deeds and conveyances of lands to the said company for the purposes of this act, in so far as circumstances will admit, may be in the form given in schedule A, to this act subjoined, or in any other form to the like effect; and for the purpose of due enregistration of the same, all the registrars in their respective counties are required to be furnished by, and at the expense of the said company, with a book with copies of the forms given in the said schedule A, one to be printed on each page, leaving the necessary blanks to suit the circumstances upon each separate conveyance, and shall, upon the production and proof of the execution of any such conveyance, enter the same in the said book without any memorial, and shall minute the enregistration or entry on the deed, and the registrars shall charge and receive, from the said company for all fees on every such registration, fifty cents, and no more, and such enregistration shall be deemed to be valid in law, any statute or provision of law to the contrary notwithstanding.

Form of conveyances.

Registration thereof.

10. The directors of the company shall have the power and they are hereby authorized by the present act to issue their bonds or debentures, signed by the president and vice-president of the company, and countersigned by the secretary-treasurer, and under the seal of the company, for the purpose of raising the money necessary for the undertaking, and such bonds shall give and shall be held to give a privileged claim upon the property and rolling stock of the company, and shall create a hypothec upon the said railway, lands, buildings and bridges or upon any or all of them, according to the tenor of such bonds or debentures; such bonds or debentures shall further convey a privilege upon the fares or other revenues of the company, or upon a part or the whole of them, according to the tenor of such bonds or debentures; provided that the amount of such bonds or debentures does not exceed the amount of the capital of the said company, and that no such debentures be for a less sum than five hundred dollars.

Power to issue debentures.

Debentures to give privilege.

Proviso.

11. The directors or a majority of them, may, from time to time, supply the place or places of any of their number,

Directors may fill vacancies.

dying or declining to act as such directors, from among the several persons being subscribers for, or owning and holding shares in the said company sufficient to qualify him or them to act as director or directors as aforesaid, said director or directors so appointed, to hold office till the next annual meeting in the month of July following.

Power to make agreements in connection with Intercolonial R'way.

12. It shall be lawful for the said company to enter into any agreement with the government of the Dominion of Canada, for leasing the said railway, or any part thereof, or the use thereof, at any time or times, or for any period, so that their railway be in connection with the Intercolonial Railway, or for leasing the use of the said Intercolonial Railway, or any engines, tenders, cars, or movable property belonging to the said Intercolonial Railway line, or touching any service to be rendered by or to the said company, and the compensation therefor, and any such agreement shall be valid and binding.

When R'way shall be begun and completed.

13. The said railway shall be commenced, *bonâ fide*, within five years, and completed up to the Bay of Paspebiac within ten years after the passing of this act.

#### SCHEDULE A.

##### FORM OF DEED OF SALE.

Know all men by these presents that I, A. B., of \_\_\_\_\_ do hereby and in consideration of \_\_\_\_\_ paid to me by "the Bay of Chaleurs railway company," the receipt whereof is hereby acknowledged, grant, bargain, sell and convey unto the said "Bay of Chaleurs railway company," their successors and assigns, all that tract or parcel of land (*describe the land*) the same having been selected and laid out by the said company, for the purpose of their railway; to have and to hold the said land and premises unto the said company, their successors and assigns for ever.

Given under my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_ one thousand eight hundred and \_\_\_\_\_

Signed, sealed and delivered }  
in presence of

A.B.  
(L.S.)

CAP. XLIV.

An Act to incorporate "The Laurentian Railway Company."

[Assented to 24th December, 1872.]

**W**HEREAS Joseph Henry Pangman, the Honorable Louis Archambault, Louis A. Jetté, M.P., Firmin Dugas, M.P.P., Joseph Adolphe Chapleau, M.P.P., Peter S. Murphy, Onulphe Pelletier, M.P.P., Jean Baptiste Deslongchamps, and Charles Guillemot have, by their petition, prayed that they, as well as their legal representatives and such other persons or corporations as may, together with them, become shareholders in the said company, be incorporated for the purpose of constructing a railway from the city of Montreal, from or near the village of Hochelaga, to or in the direction of St. Lin, in the district of Joliette, and further northwards, and as far as the interests of colonization may require, or as it may be deemed useful, and of the working of the said railway when completed; and whereas it is expedient to grant the prayer of the said petition; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. The persons above mentioned, together with such other persons as may become shareholders of the said company to be created under this act, shall be and are hereby constituted and declared to be a body politic and corporate, by and under the name of "The Montreal and Laurentian Colonization Railway Company," "*La Compagnie du Chemin de fer de Colonization de Montréal et des Laurentides*, and they shall constitute such corporation, and shall have perpetual succession, and a corporate seal, with power to alter and modify the same at their pleasure, and to plead and be impleaded, answer and be answered unto, defend and be defended in all courts of justice, in their corporate name, in the same manner as corporations may generally do, to purchase and hold lands and real estate, and also to sell, alienate, exchange or lease such lands and real estate.

2. The company is hereby authorized to lay out and construct, make and finish, run and work an iron railway from the village of Hochelaga, in the parish of Montreal, near the city of Montreal, with the right of continuing the said railway to the city of Montreal, across the Island of Montreal to the river des Prairies, thence across said river and the river Jésus at or near the village of Lachenaie, thence passing through or near the village of St. Henri de Mascouche and Grace Hall, and thence to the village of St.

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Lin. From the village of St. Lin the said railway may be continued further northwards to the village of Rawdon, and thence following the valley of the lake Ouareau river to the lake of the same name; and with power, if the said company should find more expedient, to run the said railway from St. Henri de Mascouche to some point of junction with the North Shore railway at or near Bout-de-l'Isle or Lachenaie, or further north as the case may be, there to unite with said North Shore railway; or from said village of St. Henri de Mascouche to Porteous crossing, or the river Mille-Isles, or north branch of the Ottawa, there to unite with the Montreal Northern Colonization railway; with such curves, lines or deviations as may be deemed necessary for the purpose of passing at or near the town of Terrebonne, in the district of Terrebonne, or through any such other places as the company shall decide upon laying out the said railway; and for the working of the said railway, it shall be lawful for the said company to use steam-engines, or horse-power on part or whole of the said line; and the said company is also empowered to lay out and construct a double track, on part or the whole of said railway, if deemed necessary by the directors. And the gauge of the said railway shall be of the breadth to be determined by the directors of the said company; and the building of the said railway may be commenced at such point or points, as shall be decided upon by the directors of the said company.

Land for  
stations, &c.

3. The said company is empowered to take and appropriate, for its stations or depots, where such stations or depots may be required for any of the works by this act authorized, lands to the extent of twenty acres, without the consent of the proprietor or proprietors thereof, but otherwise subject to the provisions of the Quebec railway act, 1869, in that behalf.

Power to build  
bridges.

4. The company shall have the right to build all such bridges as shall or may be deemed necessary for the said railway, over any part of any river; but the company shall not commence the construction of any bridge over any river or stream exceeding fifty yards in breadth, at high water, until the plans thereof, and of all the works connected therewith, shall have been submitted to the lieutenant-governor in council, and by him approved. Provided that nothing herein contained shall be construed to authorize the said company to interfere in any way with the navigation of the said rivers; and provided further that public notice shall be given in the Official Gazette, under the signature of the provincial secretary, of the said plans being submitted to the lieutenant-governor in council, and

Pr. viso.

that the said plans shall remain deposited in the office of the commissioner of public works for the period of three months before being so approved.

5. None of the bridges to be thus constructed by the company shall be adapted to the passage of horses, animals, vehicles or passengers, except in the trains of the said company, but such bridges shall be so constructed as not to obstruct the navigation of the rivers over which they shall be built, nor to impede the passage of any rafts that may be brought down the said rivers, and the principal arch of the said bridge crossing over the channel, shall not be less than two hundred feet, if the said bridge is not erected at a distance of one hundred feet from the present bridge, and if the bridge to be erected is so erected at a distance of one hundred feet from the present bridge, the piers to be erected shall correspond with the piers of the bridge now already erected there, with regard to the distance between the piers; provided also, that should it be deemed necessary by the board of trade of the city of Quebec, the Company shall be bound and obliged to place sufficient booms on each side of the principal channel to facilitate the passage of rafts under or beneath the main or principal arch, the whole under and in conformity with instructions of the commissioner of public works of this province; and the company after having erected the said bridge in conformity with the plans approved by the lieutenant-governor in council, shall not be liable for any damages suffered by the breaking of rafts or otherwise.

6. The said company shall also have the right to establish a telegraph line along the whole extent of the said railway, at such places along the said line, and with offices at such places, as shall be determined upon by the directors, and the said telegraph may be used by the public generally, in conformity with the rules and regulations that the company may adopt; the whole subject to the provisions of chapter sixty-six of the consolidated statutes of Canada.

7. If any person or persons shall wilfully, or maliciously, or to the prejudice of the said company, break down, damage or destroy any works, machine, or device to be erected or made by virtue of this act, or do any other wilful act, hurt or mischief, to disturb or prevent the carrying into execution, or completing, supporting or maintaining the said railway or works hereinbefore referred to, every such person or persons so offending may be summoned by the president or any of the officers of the said company to

be and appear before any one of the justices of the peace for the district in which such offence shall have been committed, and on proof of such offence to the satisfaction of the court, such person or persons shall be adjudged and condemned to pay a fine or penalty not exceeding fifty dollars and costs, which shall be levied in due course of law, and in default of paying such fine and costs within fifteen days after judgment, the person or persons so offending shall be imprisoned in the common gaol of the district within which such offence shall have been committed, for a period not exceeding three months.

Form of deeds  
of conveyance.

8. All deeds and conveyances for lands to be conveyed to the said company for the purposes of this act, shall and may, as far as the title to the said lands or the circumstances of the party making such conveyance will admit, be made in the form given in the schedule of this act marked A, and need not be executed before a notary; and for the due registration of the same, the said company is hereby required to furnish, at its own expense, to the registrar of each county wherein such deeds and conveyances must be enregistered, a book containing copies of the form given in the said schedule A, one to be printed on each page, leaving the necessary blanks for each case of conveyance, and in such book to enter and register the said deeds upon production thereof, and proof of execution, without any memorial, and to minute such entry on the deed; and the company shall pay the said registrar for so doing the sum of fifty cents and no more; which said enregistration shall be held and deemed to be valid in law, the provisions of any act for the enregistration of deeds now in force in this province, to the contrary notwithstanding.

Capital stock.

9. The capital stock of the company shall be half a million of dollars, to be divided into fifty thousand shares of ten dollars each, with the right of increasing the said capital stock to one million of dollars when deemed advantageous by a majority of the stockholders of the said company. The said capital stock shall be raised by the persons and corporations who may become shareholders in such stock; and the said money so raised shall be applied, in the first place, towards the payment and discharge of all fees, expenses and disbursements for procuring the passing of this act, and for making the surveys, plans and estimates relating to the works hereby authorized, and all the remainder of such money shall be applied towards making, constructing, maintaining and working the said railway, and for no other purpose whatsoever incompatible with this act or the law.



**10.** All manufacturing companies or other companies carrying on business in whole or in part in the city of Montreal, or at any place within the limits of the counties of Hochelaga, Laval, or the districts of Joliette and Terrebonne, whether incorporated by special or general act, may, by a vote of the shareholders, representing at least three-fourths in value of the shares, but not otherwise, subscribe or otherwise purchase and hold any number of shares in the capital stock of the said company, which they may deem advisable, and may divest themselves thereof by transfer in the form hereinafter provided.

Other companies may take shares.

**11.** The said John Henry Pangman, the Honorable Louis Archangebeault, Louis A. Jetté, M.P., Firmin Dugas, M.P.P., Jos. Adolphe Chapleau, M.P.P., Peter S. Murphy, Onulph Pelletier, Jean Baptiste Deslongchamps and Chas. Guillemot, are hereby constituted and appointed the first directors of the company, and until others shall be appointed as hereinafter prescribed, they shall constitute the board of directors of the said company, with power to fill any vacancies that may occur therein, to open stock books and make a call on the shares therein subscribed, to call a meeting of subscribers for the election of directors in the manner hereinafter provided, and with all such other powers as by the Quebec railway act, 1869, and the act thirty-first Victoria, chapter twenty-four of the statutes of Quebec, are conferred upon such board of directors.

Provisional directors.

**12.** When and so soon as one hundred thousand dollars of the said capital stock shall have been subscribed, the company may enter upon its duties, and it shall be lawful for the said directors, or a majority of them, to call the general meeting of the shareholders at such place and time as they shall think proper, giving at least thirty days' public notice of the same in the Quebec Official Gazette, and also a previous notice not less than fifteen days' in two newspapers published in the city of Montreal, one in the French language and the other in the English language, and at such meeting, such number of the directors as shall be fixed by a by-law of the company shall be elected to act until the annual general meeting, and until their successors shall have been appointed; and at each such meeting any municipal or other corporation holding shares in the said company to the amount of five thousand dollars or more, and not being in arrears for any calls on their shares, may act at such election as any other shareholder, and shall be each represented at such meeting by some one person authorized by them for such purposes.

Meeting for election of directors.



Annual general meetings.

**13.** The annual general meetings shall be held on the first Thursday of June each year after the first meeting hereinabove mentioned, or on such a day and at such place as shall be appointed by any by-law, and at such meeting the shareholders there present shall in the manner hereinbefore mentioned, elect such number of directors as shall have been prescribed by the by-laws of the company, which number shall not be less than five nor more than nine, and notice of such annual meeting shall be published one month previously in the Quebec Official Gazette, or in any other manner that may be prescribed by the by-laws of the company.

Qualification of directors.

**14.** No person shall be chosen or appointed director unless he hold, in his own right, shares in the capital stock of the said company to the amount of one thousand dollars, and have paid up all calls on such shares.

Quorum.

**15.** Five of the said directors shall form a quorum for the transaction of business; and the said directors shall choose among themselves a president and a vice-president, and may employ one of their number as managing director, who may have a salary to be determined by the board of directors.

Powers given by 31 V., c. 24.

**16.** The directors shall have all the powers mentioned in the statute thirty-first Victoria, chapter twenty-four of the province of Quebec.

Corporations holding stock, how represented.

**17.** Municipal corporations subscribing for stock in the capital stock of the said company shall be represented by the mayors and wardens of such corporations for the time being, or by such persons as may be specially appointed by each municipality, according to a by-law for that purpose.

Voting.

**18.** Each shareholder shall be entitled to a number of votes equal to the number of shares he shall have had in his own name at least two weeks prior to the time of voting; provided that no party or parties shall be entitled to vote at the meetings of shareholders who shall not have paid up all the calls due upon his or their stock, at least twenty-four hours before the hour appointed for such meeting.

Regulation of tolls.

**19.** It shall be lawful for the directors of the said company, from time to time, to fix, regulate and receive the tolls and charges to be received for the transmission of property or persons on the said railway, subject always to the approval of the lieutenant-governor in council, and to be published in the Quebec Official Gazette.

**20.** In case of refusal or neglect to pay the toll or freight due to the said company on any goods, the said company shall have power to detain the same until payment of such toll or freight be made, and in the meantime, such goods shall be at the risk of the owner; and, if such goods be of a perishable nature, the said company shall have the right to sell the same forthwith on the certificate of two competent persons establishing the fact of their being so perishable; and if such goods be not of a perishable nature, and shall remain unclaimed for a period of twelve months, it shall be lawful for the said company, after giving one month's notice in two newspapers, one in the French language and the other in the English language, published at or near the locality where such goods may be, to dispose of the same by public auction, and to hand over to the owner the produce of such sale if he shall claim the same, after the deduction of the said tolls and freight, and of the expenses incident to any such sale.

Proceedings  
in default of  
payment of  
tolls.

**21.** The said company shall have power to become parties to promissory notes and bills of exchange for sums not less than one hundred dollars; and any such promissory note made or endorsed, and any such bill of exchange drawn, accepted or endorsed by the president or the vice-president of the company, and countersigned by the secretary and treasurer, and under the authority of a majority of a quorum of the directors, shall be binding upon the said company; and every such promissory note or bill of exchange so made, drawn, accepted or endorsed by the president or vice-president of the said company, and countersigned by the secretary and treasurer as such, after the passing of this act, shall be presumed to have been properly made, drawn, accepted or endorsed, as the case may be, for the company, until the contrary be shewn; and in no case shall it be necessary to have the seal of the company affixed to any such promissory note or bill of exchange; nor shall the president, vice-president or secretary and treasurer of the company so making, drawing, accepting or endorsing any such promissory note or bill of exchange be thereby subjected individually to any liability whatever.

Power to sign  
promissory  
notes.

**22.** In the borrowing of moneys by way of loan, the debentures of the said company shall and may be in the form contained in the schedule B annexed to this act, or in any other form similar thereto, and need not be before a notary, and shall have the effect of creating a hypothec and mortgage upon the said railway and the lands and property thereof, and the registration at full length of a debenture (without the interest coupons thereto attached)

Form of debentures and effect thereof.

in the said form in the registry office for the counties in which part of the said railway may lie, which said registration for the purposes of this act and of the loan to be made in virtue thereof, shall be held and deemed to be a special registration of the said railway and of all the lands and property thereof, in each county or locality through which such railway may pass or lie, shall perfect the hypothec and mortgage created by such debenture as regards all parties whatsoever, and the debenture and hypothec and mortgage thereby created shall be to all intents and purposes binding upon the said company in favor of the holder of the debenture, and have the effect of mortgaging and charging all the lands and property of the said company without any other more formal or particular description, but the description in the said schedule B shall be held to comprehend all the lands and tenements of the said company, all wharves and buildings of every nature thereon, and, in short, all the immovable estate belonging to the said company, including the rails and iron thereto affixed, any law or usage to the contrary notwithstanding.

How registration thereof may be cancelled.

23. If after the registration in the registry office of the said county of a debenture of the said company creating a mortgage and hypothec, such debenture shall be presented at the said registry office with the word *cancelled* and the signature of the president, or other duly authorized director of the said company, or of the secretary and treasurer of the said company, written across the face of the said debenture, the registrar or his deputy, on receiving the fee of twenty-five cents in that behalf, and on proof of the cancellation by the oath of one credible witness (which oath the registrar or his deputy is hereby authorized to administer), shall forthwith make an entry in the margin of the register against the registry of such debenture, to the effect that the same has been cancelled, adding to such entry the date thereof and his signature, and thereupon the cancelled debenture shall be filed and remain of record in the said registry office.

Mode of registration of debentures.

24. And to facilitate the registration of the debentures of the said company creating a hypothec and mortgage and the cancellation thereof, be it enacted that they, if they deem proper, may, at their own expense, deposit in the said registry office wherein such their debentures are hereby required to be registered, any number of their printed blank debentures in the form of the said schedule annexed to this act, without its being necessary to add the coupons thereto, bound together in a book, and having the

pages thereof numbered and signed by the secretary of the company, and thereupon the registrar or his deputy shall be bound to receive and retain the same as one of the registry books of his office, and to register therein the said debentures of the company instead of registering them in the ordinary registry books of the office, receiving for the registration of each such debenture a fee of twenty-five cents and no more; any ordinance or law to the contrary notwithstanding.

**25.** It may and shall be lawful for the said company to cross, intersect, join and unite their railway with any other railway, at any point on its route, and upon the lands of such other railway, with the necessary conveniences for the purpose of such connection, and the owners of both railways may unite in forming such intersection and in granting the facilities therefor; and in case of disagreement upon the amount of compensation to be made therefor, or upon the point or manner of such crossing or connection, the same shall be determined according to the provisions of the general railway act in relation to this subject.

Connection with other railways.

**26.** It shall be lawful for the said company to enter into any agreement with any other railway company in this province, for leasing the said railway or any part thereof or the use thereof, at any time or times, to such other company, or for leasing or hiring out to such other company any locomotives, cars, carriages, tenders or other movable property of the said company, either altogether or for any time or times, or occasions, for leasing or hiring from such other company any railroad or part thereof, or the use thereof at any time or times, or for leasing or hiring from such other company any locomotives, cars, carriages, tenders or other movable property, or for using either the whole or any part of such other railroad, or of the movable property of such other company, in common by the two companies, or generally to make any agreement or agreements with any such other company, touching the use by one or the other or by both companies, of the railroad or movable property of either or both, or any part thereof, or touching any service to be rendered by the one company to the other and the compensation therefor; and any such agreement shall be valid and binding and shall be enforced by all courts of justice in this province according to the terms and tenor thereof.

Agreements with other companies.

**27.** And whereas it may conduce to the interests of the said "The Montreal and Laurentian Colonization railway company," hereafter to unite and form a junction and

Amalgamation with other companies.

amalgamation with other railway companies in this province; Be it enacted, that it shall be lawful for the said "The Montreal and Laurentian Colonization railway company" to form such union, junction and amalgamation at any time hereafter, with any other railway company which is also hereby authorized to form such amalgamation, upon such terms and conditions as may be agreed upon at a general meeting of the stock-holders of the said company, specially called for that purpose by a majority of such stock-holders, and thereafter the companies thus united and amalgamated shall form but one and the same company upon the terms, stipulations and conditions agreed upon between the said companies. And for the purpose of effecting such amalgamation, the other companies with which this said company may consent to be amalgamated, are hereby authorized to stipulate and determine the conditions of such amalgamation at a general meeting of their stock-holders specially called for that purpose by a majority of such stock-holders.

Agreements  
with the  
Montreal City  
Passenger R.  
Co.

28. It shall be lawful for the said company, and for the Montreal City Passenger railway company, to enter into any agreement or agreements, for the use by the one or the other of said companies or of both companies, at the same time, of the railroad of such other company, or of any part thereof, or of any station, cars or any other movable or immovable object of either of such companies or of both such companies, or touching any service to be rendered by the one company to the other, and the price or compensation for such services; or for the construction of one or more branch roads, one or more tram-ways in order to facilitate the junction of the railroads for both companies; and any such agreement executed in due form of law by the two companies, shall be valid and binding and shall be enforced by all courts of justice according to the terms and tenor thereof; and if any such agreement be entered into between the two companies, the cars and rolling stock, but not the locomotives, of the Montreal and Laurentian Colonization railway company may pass along the track of the Montreal City Passenger railway, and *vice versa*. The company may, after being authorized to that effect by the corporation of the city of Montreal, lay a track in any street parallel with St. Mary street in the said city, as far as Visitation street, so as to run its cars as far as Visitation street aforesaid.

Power to  
acquire land,  
timber, &c.

29. It shall be lawful for the said company, from time to time, to purchase, lease, detain, hold, receive and use any lands along, or in the vicinity of, or separated from the

railway track of the said company, and if separated from the said track, with the right of passage to communicate therewith, that it shall please Her Majesty or any person or corporation to give, grant, sell or make over to the said company; and it shall be lawful for the said company to cut down timber and to extract out of the ground gravel or stone on the said lands to be used for the building, maintaining or working of the said railway, or to be sold; to establish thereon stations, tram-ways, branch roads, work-shops, wood-yards and quarries; and to sell the firewood and lumber that may be cut down on such lands, and, from time to time, to sell or dispose of such portions of the said lands as may not be required by the company for the procuring of gravel or the erection thereon of tram-ways, branch lines, wood sheds, stations, work-shops, or for any other need of the said company; and the said company shall have generally the power of buying, transporting and selling fire-wood.

SCHEDULE A.

Know all men by these presents, that I, A. B., of *(name also the wife, if any,)* do hereby, in consideration of *(here state the sum)* paid to me by "The Montreal and Laurentian Colonization railway company," the receipt whereof is hereby acknowledged, grant, bargain, sell, convey and confirm unto "The Montreal and Laurentian Colonization railway company," their successors and assigns forever, all that certain tract or parcel of land situated, *(here describe the lands,)* the same having been selected and laid out by the said company for the purposes of their railway; to have and to hold the said lands and premises, together with the appurtenances thereto, to the said "The Montreal and Laurentian Colonization railway company," their successors and assigns forever, *(here the release of dower, if any.)*

Witness my *(or our)* hand *(or hands,)* seal *(or seals,)* this day of \_\_\_\_\_ one thousand eight hundred \_\_\_\_\_

Signed, sealed and delivered at \_\_\_\_\_ in presence of

A. B.

(L.S.)

## SCHEDULE B.

## FORM OF DEBENTURE.

"The Montreal and Laurentian Colonization Railway Company," Number §

This debenture witnesseth that "The Montreal and Laurentian Colonization Railway Company, under the authority of the provincial statute passed in the \_\_\_\_\_ year of Her Majesty's reign, intituled: "An Act to incorporate the Laurentian railway company," have received from \_\_\_\_\_ of \_\_\_\_\_ the sum of \_\_\_\_\_ as a loan, to bear interest from the date hereof, at the rate of \_\_\_\_\_ per centum per annum, payable half-yearly on the \_\_\_\_\_ day of \_\_\_\_\_ and on the \_\_\_\_\_ day of \_\_\_\_\_ which sum of \_\_\_\_\_ the said company bind and oblige themselves to pay on the \_\_\_\_\_ day of \_\_\_\_\_ to the said \_\_\_\_\_ or to the bearer hereof at Montreal, and to pay the interest thereon half-yearly as aforesaid, on the production of the *coupon* therefor, which now forms part of this debenture.

And for the due payment of the said sum of money and interest, the said company, under the power given to them by the said statute, do hereby mortgage and hypothecate the real estate and appurtenances hereinafter described, that is to say: *The whole of the railroad from \_\_\_\_\_ to \_\_\_\_\_ including all the lands at the termini of the said road, and all lands of the company within these limits, and all buildings thereon erected, and all and every the appurtenances thereto belonging.*

In testimony whereof, \_\_\_\_\_ president of the said company hath hereto set and affixed his signature and the seal of the said company, at this \_\_\_\_\_ day of \_\_\_\_\_ one thousand eight hundred and \_\_\_\_\_

President,  
(L.S.)

Countersigned and entered

Secretary.

I certify that this debenture was duly registered in the registry office for the county of \_\_\_\_\_ in the district of \_\_\_\_\_ of \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ one thousand eight hundred and \_\_\_\_\_ at \_\_\_\_\_ of the \_\_\_\_\_ clock in the \_\_\_\_\_ noon. in register \_\_\_\_\_ page.

Registrar.



## CAP. XLV.

## An Act to amend the Act incorporating "The Levis and Kennebec Railway Company."

[Assented to 24th December, 1872.]

**W**HEREAS the directors of the Levis and Kennebec Railway Company have, by petition, prayed that their act of incorporation be amended; and whereas, it is expedient to grant the prayer of the said petition; Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

**1.** The following words, in the second, third, fourth and fifth lines, in the third section of chapter fifty-four, of the thirty-second Victoria, to wit: "five hundred thousand dollars (with power to increase the same as provided by the Quebec Railway act, 1869, passed during the present session), to be divided into fifty thousand," are struck out, and the following are substituted therefor: "three million dollars, and shall be divided into three hundred thousand."

**2.** The seventh section of said act is hereby repealed, and the following substituted therefor:

"7. The annual meeting of the shareholders of the said company shall be held on the first Tuesday of February in each year, and the directors shall be elected thereat yearly. The first of such meetings, after the passing of this act, for the despatch of business and the election of directors, shall be held on the first Tuesday of February next, and the directors shall be elected thereat, whether the stock authorized by this act were subscribed, or not, in whole or in part."

**3.** The eighth section of said act is amended by striking out the word "five" in the first line thereof, and substituting therefor the word "three," and by adding after the word "directors" in the fourth line thereof, the following words: "and the board of directors may, by resolution, appoint the whole or any of their number to be an executive committee of the whole board, and may delegate to such committee all or any of the powers of said board, subject to such restrictions and in such manner as they shall think fit. The directors may also appoint one of their own number to be managing director, pay him, and delegate to him such of the powers of the board as they may think fit."

**4.** The fourteenth section of said act is hereby repealed, and the following substituted therefor:



"14. The directors of the said company may, by a resolution to that effect, issue their bonds or debentures for the purpose of raising money necessary for the undertaking. Such bonds must be signed by the president, countersigned by the secretary-treasurer, and the seal of the company must be affixed thereto. They shall constitute a privileged claim on the movable property of the said company, and shall bear hypothec, from the date of the resolution, authorizing the same, on the immovable property belonging to said company, and this, without any enregistrement. The said company shall have power to issue bonds to the amount of three million dollars, the capital of the said company, and such bonds shall not be for less than five hundred dollars each.

Power to issue bonds.

Sec. 15, of said act amended.

5. The fifteenth section of said act is amended by adding after the word "therefor" in the thirteenth line thereof, the following words: "or to contract and agree with any railway company, or private parties, in this province or elsewhere, for the purchase, transfer, amalgamation, fusion or leasing of their line of railway or undertaking, with the appurtenances and privileges thereto belonging, or in any manner appertaining thereto, upon such terms and conditions, and with such restrictions as the company may deem expedient."

Name of company in the event of amalgamation

6. In the event of the amalgamation of the said railway company with any other railway company, the name of the company so amalgamated shall be approved of by the lieutenant-governor in council, and published in the Official Gazette, and subscriptions for shares or other contributions shall be, for all purposes whatsoever, as valid as if the name of the railway had not been changed.

New section added.

7. The following section is added after the last word of the fifteenth section:

Power to acquire lands for gravel, stone, &c.

"The said company may also acquire by mutual consent all the necessary lands to extract therefrom all the sand, gravel, stone or other necessary material, and the provisions of the said act, as well as those of the railway general act, relating to the expropriation of and payment for lands, shall apply to all lands necessary for the extraction of such sand, gravel, stone and other material."

Commencement of act.

8. The present act shall come into force from the date of its passing.

1872. *Montreal & Chambly R.—Sherbrooke R.* Caps. 46, 47.

## CAP. XLVI.

An Act to amend the Act incorporating the Montreal, Chambly and Sorel Railway Company.

[Assented to 24th December, 1872.]

**WHEREAS** the Montreal, Chambly and Sorel Railway Preamble.  
Company, have, by their petition, represented that it is desirable to amend their act of incorporation, and that it is expedient to grant their prayer; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. The ninth section of the act thirty-second Victoria, Sec. 9, of 33 chapter twenty-nine is amended, by substituting the word V., c. 29. amended. "three" to the word "four," in the first line of said section; and the thirteenth section of the said act is also amended, by substituting the word "or," to the word "and," which is between the words "president" and "vice-president," in the third line of said section.

## CAP. XLVII.

An Act to amend the Act incorporating "The Sherbrooke, Eastern Townships and Kennebec Railway Company."

[Assented to 24th December, 1872.]

**WHEREAS** the directors of the Sherbrooke, Eastern Preamble.  
Townships and Kennebec Railway Company, have, by petition, prayed that their act of incorporation be amended, and whereas it is expedient to grant the prayer of the said petition; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. The following words in the second, third, fourth and Sec. 3, of 32 V. o. 57, amended fifth lines of the third section of the act thirty-second Victoria, chapter fifty-seven, to wit: "five hundred thousand dollars (with power to increase the same as provided by The Quebec Railway Act, 1869, passed during the present session) to be divided into twenty thousand" are struck out, and the following are substituted therefor: "one million five hundred thousand dollars, and shall be divided Amount of capital. into sixty thousand."

Sec. 14, of said act replaced. **2.** The fourteenth section of the said act is hereby repealed, and the following substituted therefor :

Power to issue bonds. **" 14.** The directors of the said company shall have power to issue bonds of the company for the purpose of raising money for prosecuting the undertaking. The bonds shall be made and signed by the president or vice-president of the company, and countersigned by the secretary-treasurer, and bear the seal of the company ; and they shall confer privileged claims upon all the property of the company, and shall bear hypothec upon the said railway, and upon all the immovable property of the company without registration, notwithstanding article 2130 of the civil code. Such bonds may be issued to the amount of twenty thousand dollars per mile of the road to be constructed, including all bridges, and such bonds shall not be for less than one hundred dollars each."

Sec. 16, of said act replaced. **3.** The sixteenth section of the said act is hereby repealed, and the following is substituted therefor :

Power to amalgamate. **" 16.** The directors of the company shall have power to contract and agree with any other railway company, or private parties, in this province or elsewhere, for the purchase, transfer, amalgamation, fusion or leasing of their lines of railway, or undertaking, with the appurtenances and privileges thereto belonging, or in any manner appertaining thereto, under such name, upon such terms and conditions, and with such restrictions, as the said directors may deem expedient ; and in the event of such amalgamation or fusion taking place, the subscriptions for shares or otherwise, made to or in favor of each of the companies amalgamated, shall hold good and be as valid and binding in favor of the company formed by the amalgamation, as they were in favor of the respective companies before the amalgamation ; provided, however, that before any such amalgamation can take effect and the name thereof be used, a notice thereof shall be twice inserted in both the English and the French languages in the Quebec Official Gazette."

Effect of amalgamation

Proviso

Sec. 17, of said act amended. **4.** The following words in the third and fourth lines of the seventeenth section of said act incorporating said company to wit : "with the Saint Francis Valley Railway Company" are struck out and the following substituted therefor : "with any other railway company, or private parties."

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CAP. XLVIII.

An Act to amend the Act incorporating "The Philipsburg, Farnham and Yamaska Railway Company."

[Assented to 24th December, 1872.]

**W**HEREAS the directors of the Philipsburg, Farnham and Yamaska Railway Company, have, by their petition, represented that certain amendments to the act incorporating said company, are necessary in the interests of said corporation, and it is expedient to grant the prayer of said petition; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. Section second of the act of this Province, thirty-fifth Victoria, chapter thirty-one, is hereby amended by striking out the words "in said parish," in the seventh and eighth lines of said section, and inserting instead thereof the words "in the said county of Missisquoi;" and by inserting after the word "Nicolet," in the twelfth line of said section, the words, "or either or any of said counties;" and further, by adding at the end of said section, the following words: "and to connect with Montreal by a branch line, starting from a point between St. Hyacinthe and Farnham, but such branch line shall only be constructed after the construction of the main line." Sec. 2, of 35 V., c. 31, amended.
2. Section third of said act is amended by striking out the word "or" in the seventeenth line of said section, and adding the words "or village," after the word "parish" in said line. Sec. 3, of said act amended.
3. Section eleventh of said act is amended, by striking out all the remainder of said section eleven, after the word "registration," in the fifteenth line thereof, and adding instead thereof, the words "provided that the total amount of said bonds shall not exceed the amount of the capital stock of said company." Sec. 11, of said act amended.
4. Any city, town or village, incorporated by special act of the legislature, is hereby authorized to grant to said railway assistance, by means of a bonus, in cash or bonds, or debentures, if the council thereof shall see fit so to do; provided that the by-law passed for such object, be ratified by the electors in the usual manner. Any city, town, &c., specially incorporated may grant said.
5. Any municipal corporation is authorized to grant Any municipal

corporation  
may grant aid.

assistance to said railway, by way of bonus in cash, or bonds or debentures of said corporation, and it shall not be necessary to establish a sinking fund for the payment of such bonds, if they are redeemable in four years or less.

This act to  
form one with  
35 V., 3. 31.

6. The present act shall be considered as forming but one and the same act with the act hereby amended.

Inconsistent  
provisions  
repealed.

7. All acts, or portions of acts, contrary to, or incompatible with the provisions of the present act, are hereby repealed.

Sec. 15, of said  
act amended.

8. The word "two" in the second line of the fifteenth section of the said act is struck out, and the word "three" substituted therefor.

### CAP. XLIX.

An Act to confirm certain by-laws authorizing subscriptions of stock in the Montreal Northern Colonization Railway Company.

[Assented to 24th December, 1872.]

Preamble.

WHEREAS the Montreal Northern Colonization Railway Company have represented, by their petition, that it was expedient to declare, and pronounce valid, legal, and binding, the by-laws passed and adopted by the corporation of the city of Montreal, and by other municipal corporations in aid of the said company; and, whereas, the said by-laws, and each and all of them, have been examined and approved by the lieutenant-governor in council, as provided by law and by the municipal code of the province of Quebec; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Montreal by-  
law declared  
valid.

1. By-law No. 59, intituled: "By-law to authorize the taking of stock by the corporation of the mayor, aldermen and citizens of the city of Montreal, in the Montreal Northern Colonization railway company, to the extent of one million of dollars currency, and to pay the same in cash, or in bonds or debentures, and to impose a yearly rate to pay interest and provide for a sinking fund," passed and adopted by the city council of the said corporation on the third day of April, one thousand eight hundred and seventy-two, and subsequently, to wit: from the twenty-ninth day of the said month of April, 1872, to the tenth day of the month of May of the same year, approved and

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ratified by a majority of the electors of the said city of Montreal, qualified to vote on said by-law, copy of which is annexed to this act under schedule A, is by these presents declared legal and valid, and shall be considered and adjudged as having been legal and valid, and duly approved by the electors qualified to vote therein according to the statutes, and shall be considered and adjudged as having been legal and valid from the date of the passing thereof, and all taxes and assessments imposed, collected and levied, or to be imposed, collected and levied, by and in virtue of the said by-law, are by these presents declared valid and binding; but nothing herein or in the said by-law contained, shall entitle the corporation of the said city of Montreal, to collect any further or larger assessment than shall be requisite to pay the interest and the sinking fund upon the amounts in cash or debentures which the said corporation shall then have paid to the said company on account of the said subscription, and upon the amounts in cash or debentures which the company shall have the right to demand from the said corporation upon or before the time at which such assessment shall become payable. Proviso.

2. By-law No. 1 of the corporation of the parish of St. Andrews, intituled: "By-law to authorize the corporation of the parish of St. Andrews, in the county of Argenteuil, in the district of Terrebonne, to take stock in the capital stock of the Montreal Northern Colonization railway company, to the extent of twenty-five thousand dollars currency, and to pay the same in bonds or debentures, and to impose a yearly rate to pay interest thereon, and provide for a sinking fund," adopted by the municipal council of the said parish, on the nineteenth day of June, one thousand eight hundred and seventy-two, and unanimously ratified on the fifteenth day of July next following, by the electors of the said parish of St. Andrews, qualified to vote on said by-law, a copy whereof is annexed to these presents under schedule B, is declared by these presents to be valid, legal and binding to all intents and purposes, and so to have been since the passing thereof. by law declared valid.

3. And, whereas, by clause C, section 1, of said by-law, the subscription of the said parish of St. Andrews is made subject to the condition that the line of the said railway shall pass at a distance of not more than one mile from the English Episcopal church in the village of St. Andrews; and whereas it may become expedient for the said corporation of the parish of St. Andrews, to amend this condition by increasing to not more than two miles, the distance within which it shall be lawful for the said company to Amending St. Andrews by-law.

construct the line of the said railway, and by diminishing to not more than twenty thousand dollars, the amount of said subscription, as mentioned in the aforesaid clause; be it enacted that the municipal council of the said parish may amend such clause of the aforesaid by-law, in any of its sessions, called after due notice, by resolution adopted by the majority of members of said council present at such session, and such amendment so adopted, shall hereafter be a part and parcel of such by-law notwithstanding all contrary legal provisions; provided that such resolution will be approved by the electors of the said parish, duly notified according to the provisions of the municipal code for the approval of municipal by-laws.

Certain by-laws declared valid.

4. The by-laws hereafter mentioned and named, and each and all of them are hereby declared valid, legal and binding to all intents and purposes, and so to have been since the passing thereof respectively, to wit:

County of Ottawa by-law

1. By-law No. 2 of the corporation of the county of Ottawa, intituled: "By-law to authorize the corporation of the county of Ottawa, in the province of Quebec, to take stock in the capital stock of the Montreal Northern Colonization railway company, to the extent of two hundred thousand dollars, and to pay the same in bonds or debentures, and to impose a yearly rate to pay interest and provide for a sinking fund," adopted by the municipal council of the said corporation, at its quarterly session, held on the twelfth day of June, one thousand eight hundred and seventy-two, and subsequently, to wit: on the ninth day of July next following, ratified and approved by a majority of the electors of the said county, qualified to vote on said by-law, a copy whereof is annexed to these presents under schedule C.

Ste. Thérèse village by-law

2. By-law No. 2 of the corporation of the village of Ste. Thérèse de Blainville, intituled: "By-law to authorize the corporation of the village of Ste. Thérèse de Blainville to take stock or shares in the capital stock of the Montreal Northern Colonization railway company, to the extent of twelve thousand dollars, and to pay the same in cash or bonds, and to impose a yearly rate to pay interest thereon and provide for a sinking fund," a copy of which is annexed to these presents under schedule D, adopted the said by-law by the municipal council of the said village of Ste. Thérèse de Blainville, on the second day of April, one thousand eight hundred and seventy-two, and subsequently, to wit: on the twenty-ninth day of the said month of April, approved and ratified unanimously by the qualified electors of the said village.



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3. By-law No. 2 of the corporation of the parish of Ste. <sup>Ste. Thérèse</sup> Thérèse de Blainville, intituled: "By-law to authorize the <sup>parish by-law.</sup> corporation of the parish of Ste. Thérèse de Blainville to take shares in the capital stock of the Montreal Northern Colonization railway company, to the extent of twelve thousand dollars, and to pay the same in cash or bonds, and to impose a yearly rate to pay interest thereon and provide for a sinking fund," of which a copy is annexed to these presents under schedule E, adopted the said by-law by the municipal council of the said parish of Ste. Thérèse de Blainville on the second day of April, one thousand eight hundred and seventy-two, and subsequently, to wit: on the twenty-ninth day of the said month of April, approved and ratified unanimously by the qualified electors of the said parish of Ste. Thérèse de Blainville.

4. The by-law intituled: "By-law No. 52, to authorize <sup>St. Jérôme</sup> the corporation of the parish of St. Jérôme to take stock or <sup>parish by-law.</sup> shares in the capital stock of the Montreal Northern Colonization railway company, to the extent of ten thousand dollars, and to pay the same in cash or debentures, and to impose a yearly rate to pay interest thereon, and provide for a sinking fund," copy of which is annexed to these presents under schedule F, adopted the said by-law by the municipal council of the said parish of St. Jérôme, on the eighth day of July, one thousand eight hundred and seventy-two, and unanimously approved and ratified on the first day of August next following, by the qualified electors of the said parish of St. Jérôme.

5. By-law No. 53 of the corporation of the village of St. <sup>St. Jérôme</sup> Jérôme, intituled: "By-law to authorize the corporation of <sup>village by-law</sup> the village of St. Jérôme to take stock or shares in the capital stock of the Montreal Northern Colonization railway company, to the extent of fifteen thousand dollars, and to pay the same in cash or debentures, and to impose a yearly rate to pay interest thereon and to provide for a sinking fund," copy of which is annexed to these presents under schedule G, adopted the said by-law by the municipal council of the said village of St. Jérôme, on the twenty-fourth day of July, one thousand eight hundred and seventy-two, and unanimously approved and ratified on the nineteenth day of August next following, by the qualified electors of the village of St. Jérôme.

SCHEDULE A.

By-law to authorize the taking of stock by the corporation of the mayor, aldermen and citizens of the city of Mon-



treail, in the Montreal Northern Colonization Railway Company, to the extent of one million of dollars currency, and to pay the same in cash or in bonds or debentures, and to impose a yearly rate to pay interest and provide for a sinking fund.

WHEREAS, in the opinion of the council of the corporation of the mayor, aldermen and citizens of the city of Montreal, the inhabitants of the said city are sufficiently interested in the railway which the Montreal Northern Colonization railway company are authorized to construct from Montreal to Aylmer, with a branch to Saint Jérôme, to warrant the said corporation in taking stock in the said company to the extent of one million of dollars currency, and to pay the same, either in cash, or bonds, or debentures, at the option of the said city council, and to impose a yearly rate sufficient to pay the interest upon such bonds or debentures, and two per cent, over and above such interest, as a sinking fund;

And, whereas, all the requirements of the act forming chapter 25, of the consolidated statutes for Lower Canada, and of chapter 83, of the consolidated statutes of Canada, and of all other acts concerning the same, have been complied with, before the passing thereof;

Now, therefore, the said council of the said corporation of the mayor, aldermen and citizens of the city of Montreal, at a special meeting thereof regularly held at the city hall, in the city of Montreal, on this third day of April, in the year of our Lord one thousand eight hundred and seventy-two, in the manner and after observance of all the formalities prescribed by the statutes in such case made and provided, at which said meeting at least fifteen members of the said council, to wit: the following members thereof, are present, viz:

His worship the mayor,—Charles J. Coursol, esquire.

Aldermen,—David, Masterman, Bastien, Wilson, Simard, Bernard, Alexander, McGauvran.

Councillors,—Nelson, Christie, Betournay, Rivard, Desmartean, McShane, Stephens, Garth, Hood, Mullin, Lorange, Kay, Rolland, McCambridge, Kennedy, Brunet, Grenier, Munro,—of whom the majority then and there voted for the said by-law,—have ordained and enacted, subject to the consent of the qualified electors of the city of Montreal, first had and obtained in the manner provided for in and by the several acts of the province of Quebec, and other statutes in such case made and provided, and do hereby ordain and enact as follows:

Sec. 1.—Upon the terms and conditions hereinafter stipulated and provided for the mayor of the said city,

shall be, and he is hereby authorized and required for, and on behalf, and in the name of the said corporation of this city, to subscribe for and take one hundred thousand shares of stock in the said Montréal Northern Colonization railway company, chartered by act of the parliament of this province; and the said terms and conditions are as follows:

(1)—Fifty thousand shares of the said stock shall be *bona-fide* taken by other municipalities and by solvent persons competent to pay the amount of their subscriptions, which shall be to the satisfaction of the majority of the members of the said corporation who will form part of the board of directors of the said railway.

(2)—The said city council shall appoint annually, by a vote of their own body, two persons to be directors of the said railway company, forming, together with the mayor of the said city, three directors thereof, who shall be members of the board of directors of the said company; and the right of appointing the said directors shall not be affected by any change in the governing body or in the constitution of the company.

(3)—The said railway shall be commenced at the harbour of Montreal, near and within the eastern limits of the city, within which also the station, work-shops, and terminus of the said railway shall be located near the harbour of the said city, and the said railway shall be proceeded with continuously and without intermission northward of the mountain of Montreal, in the direction of, and as far as Hull, in the district of Ottawa.

(4)—The said company shall commence the branch line to the village of St. Jérôme, in the district of Terrebonne, so soon as the main line reaches the point of junction, which shall be fixed at or near the village of Sainte Thérèse, and shall continue such branch line simultaneously with the remainder of the main line; and the said branch line to St. Jérôme shall be made and constructed in like manner and with the same quality of iron rails as the main road from Montreal to Hull.

(5)—The amount of said subscription shall be payable, at the option of the finance committee, either in cash or in bonds or debentures, to be taken at par; and for the purpose of securing the due application thereof to the said railway, to Hull, it shall only be exigible as follows:

a. Fifty thousand dollars,—on the completion of the bridge of the said railway across the Rivière-des-Prairies and of the road connecting such bridge with Montreal;

b. Twenty-five thousand dollars,—on the completion of the bridge of the said railway across the river Jesus or des Mille-Isles, and of the road connecting such bridge with Montreal;

c. Seven hundred and seventy-five thousand dollars,—to be paid, as the work of the railway progresses, at the rate of five thousand dollars per mile (exclusive of the foregoing allowance for bridges,) such payments not to exceed, however, in any case, one-third of the value of the work done on the line from Montreal to Hull (including the Saint Jérôme branch); any balance remaining after the said payments or instalments are made, to be reserved and paid only after the road is finally completed as agreed upon, and in running order from Montreal to Hull; but before any payments are made to the said company for, or on account of the bridges, or mileage, as aforesaid, the estimates and certificates of the company's engineer, shall be verified and certified correct as to work done, and all other particulars, by an engineer to be selected and appointed by the said corporation;

d. One hundred and fifty thousand dollars—to be reserved for the purpose of purchasing, in the name of the said Montreal Northern Colonization railway company, the property belonging to the Government of Canada, known as the "Quebec Gate Barracks," and also other government property in the neighbourhood, and the property known as the "Military Hospital," and any other property, for the purposes of the said railway, the terms, price and conditions of the said purchase to be fixed and determined by the said city council and to be binding upon the said Montreal Northern Colonization railway company, who shall accept and carry out the same; the properties so purchased to be used, enjoyed and disposed of for stations, for the said company or any other railway company, as the said city council may, from time to time, decide and order, by resolution thereof; the said Montreal Northern Colonization railway company shall not have the power to sell or dispose of any part of the said properties without the previous sanction and consent of the said city council; but a sufficient breadth shall be taken from the said properties to give to St. Paul street a width of at least fifty feet, to Barrack street, a width of at least forty feet, to Lacroix street, a width of at least sixty feet, to Woodyard street, in front of the government property, a width of at least forty feet, and to Water street and Barrack street, and eighty-five feet at the angle of the said Barrack street and Woodyard street, by striking a straight line from the said angle of Barrack street to the angle of Woodyard street,—of which said breadth of properties the said company shall make a gratuitous cession to the city, to facilitate the widening of such streets, if deemed necessary by the said council;

e. For the purpose of insuring a connection between the railway of the said company and the trade of the Upper

Ottawa, the said company shall on or before the completion of the railway to Hull, make such arrangements with the Conada Central railway company, as shall enable them to run cars direct from Montreal through to the extreme western point then reached, or which may hereafter be reached, by the said Canada Central railway, in which arrangements it shall be essential points, that a bridge shall be built at or near Hull, connecting the Northern Colonization railway with the Canada Central railway, and that the last named company shall either reduce and procure to be reduced the gauge of its railways and connections to the same gauge as the Montreal Northern Colonization railway, or shall place on its track, and procure to be placed on the track of the Brockville and Ottawa Railway, between Carleton place and Sand Point, a third rail to enable narrow gauge cars to be run through from the Montreal Northern Colonization railway on the Canada Central and Brockville and Ottawa railways westward. And in order to secure the making of such arrangements, fifty thousand dollars of the said subscription shall be retained by the corporation of the said city out of the last instalments to be paid to the said Montreal Northern Colonization railway company, in and by sub-section *c* of the present by-law, until such arrangements are made. But in the event of its being found impossible to make such arrangements, except upon terms which shall be considered too disadvantageous by the said last named company, and by the said city council, then the said city council shall make such special order as to the payment of the said reserved sum of money to the said company, as the said council may deem expedient.

(6.) The gauge of the said railway shall be four feet eight inches and one-half; and in the construction of the said railway, the bridges over the principal rivers along its route shall be built with substantial stone piers and no bridge over any river shall be built with wooden piers without the consent of the city council. The rails, if of iron, shall not be less than sixty pounds weight per lineal yard, and if of steel, not less than forty-eight pounds weight per lineal yard, and the railway generally, and its appurtenances shall be of equally good quality, material and construction with the Great Western Railway of Canada, or any other railway in Canada. And if any of the conditions of this section be not complied with the payments on account of the subscriptions hereby authorized shall cease and shall not recommence until the engineer appointed by the city council, shall be satisfied that the default has been rectified, and that the work is being proceeded with in conformity herewith; and if the whole amount of the shares hereby subscribed for shall have been

paid at the time of the breach of any of the conditions of this clause, the company shall *ipso facto* become liable to the corporation of the said city for interest on such amount, from the date of such breach, until the default of the company has been rectified.

(7.) The road from Montreal to Hull shall be completed within three years from the first of October next.

(8.) The place at which the Montreal Northern Colonization railway shall connect with the North Shore railway shall be fixed and shall continue and remain so fixed, at a point near the bank of the river St. Lawrence, and near and within the eastern boundary of the said city of Montreal.

(9.) The said company shall be bound at all times to carry with due diligence from any station on their line to the city of Montreal, or to any other station thereon, any fuel or firewood, in quantities of not less than six cords at one time, to be carried in a car attached to any freight train, at such rates as may be approved by the lieutenant-governor in council, such rates not to exceed four cents per cord of dry wood, and five cents per cord of green wood per mile, for a distance not exceeding twenty miles, and three cents and one-half per cord of dry wood, and four and one-half cents per cord of green wood, per mile, for a distance not exceeding forty miles, three cents per cord of dry wood and three cents and one-half per cord of green wood per mile for a distance not exceeding seventy miles, and two cents and one-half per cord of dry wood and three cents per cord of green wood per mile for a distance not exceeding one hundred miles; and should the company or its employees refuse or neglect to comply with the above conditions, the proprietor of such fuel or firewood which the said company or its employees, shall thus refuse or neglect to carry, shall be entitled to recover from the said company, by way of liquidated damages, the sum of ten dollars per day for each and every day the said company or its employees shall refuse or neglect to carry such fuel or firewood when requested so to do; and in case the corporation of the said city should determine to feed its aqueduct with water from the rivers or lakes at or beyond St. Jérôme, the said company shall allow the free use of its bridges to lay the necessary pipes to bring water into this city, and shall grant gratuitously a width of twenty feet of land for the laying of the said pipes along the whole distance of the said railway to St. Jérôme, the whole to be subject to the approval of the superintendent of the said aqueduct.

SEC. 2.—The bonds or debentures to be issued by the said corporation shall be for an amount of not less than

one hundred dollars each, payable in twenty-five years, and bearing interest at six per centum per annum, said interest payable semi-annually.

SEC. 3.—For the purpose of paying the interest upon the said bonds or debentures, and for the purpose of establishing a sinking fund of two per centum per annum upon the amount of such subscription, over and above the interest thereon, a special rate or assessment is hereby imposed upon all rateable real property, in the said city of Montreal, as follows: The said rate or assessment shall, for every one hundred dollars of the assessed value of the said real property, be:

FIVE CENTS—For the current year (one thousand eight hundred and seventy-two);

TWELVE AND A-HALF CENTS—For the year one thousand eight hundred and seventy-three;

EIGHTEEN CENTS—For the year one thousand eight hundred and seventy-four, and for each and every subsequent year.

SEC. 4—The said special rate of assessment shall be due and payable the same as all other taxes and assessments which the said corporation are authorized to impose by their charter and the several acts amending the same, provided that in the event of an increase in the value of the rateable real property of the said city, or of a dividend being received from the said Montreal Northern Colonization railway company, upon the stock thereof, the said city council may gradually reduce the said special rate, or assessment; and in the latter case, such dividend shall be applied to the payment of the interest on the said bonds or debentures and the sinking fund as aforesaid.

#### SCHEDULE B.

By-law to authorize the corporation of the parish of St. Andrews, in the county of Argenteuil, in the district of Terrebonne, to take stock in the capital stock of the Montreal Northern Colonization Railway Company, to the extent of twenty-five thousand dollars currency, and to pay the same in bonds or debentures, and to impose a yearly rate to pay interest thereon, and provide for a sinking fund.

At a special session of the municipal council of St. Andrews, in the county of Argenteuil, in the district of Terrebonne, convened by Martin Wanless, esquire, Mayor of St. Andrews, and held at St. Andrews aforesaid on Wednesday,

the nineteenth of the month of June, one thousand eight hundred and seventy-two, in conformity with the provisions of the municipal code of the province of Quebec, at which were present:—Mr. Mayor Martin Wanless, esquire, and the councillors:—Judah Centre, Edward Jones, Julien Paquin, Peter E. McMartin, Ferdinand Dorion and Robert Gordon, forming the quorum of the council, under the presidency of Mr. Mayor; it is ordained and enacted by by-law of the said corporation, subject to the consent of the electors of the said municipality, duly qualified to vote in approval or disapproval of said by-law, as follows:

Whereas, in the opinion of the said municipal council, the inhabitants of the said municipality are sufficiently interested in the railway which the Montreal Northern Colonization railway company are authorized to construct, to warrant the said municipal council in taking stock in the said company to the extent of twenty-five thousand dollars currency, and to pay the same in bonds or debentures, and to impose a yearly rate sufficient to pay the interest upon such bonds or debentures, and two per cent over and above such interest as a sinking fund.

I. Upon the terms and conditions hereinafter provided for and stipulated, the mayor of the said municipal council shall be, and he is hereby authorized and required for and on behalf, and in the name of the corporation of the parish of St. Andrews aforesaid, to take two thousand five hundred shares of stock, of ten dollars each, in the said Montreal Northern Colonization railway company, and the said terms and conditions are as follows:

(a.) One half of the aforesaid subscription, to wit: the sum of twelve thousand five hundred dollars, shall be due and payable to the said company whenever, and so soon as the grading of the said railway shall have been made and completed through the said municipality of St. Andrews.

(b.) The second half, or balance of the aforesaid subscription, to wit: the sum of twelve thousand five hundred dollars, shall be due and payable to the said company whenever, and so soon as the railway shall be completed and in working order from the station thereof, in the parish of St. Andrews, in the city of Montreal.

(c.) A depot or station of the said railway shall be placed and established within the limits of the parish of St. Andrews, at the point of the said railroad, that shall be the nearest to the village of St. Andrews, and within one mile of the English Episcopal church in the village known as the village of St. Andrews; but this condition will not prevent the payment of the first half of the said subscription whenever it may become due according to the above



condition marked (a.) provided the line of the said railway be so located as to pass within the said distance of the said village.

(d.) The said corporation shall have the right of paying the said shares in bonds or debentures, which shall be taken at par by the said company.

(e.) In the event of the corporation of the county of Argenteuil subscribing or taking stock in the capital stock of the Montreal Northern Colonization railway, then the subscription of the corporation of the parish made by this by-law will be reduced proportionately, and in such case the present subscription will be valid and binding only above the proportion this corporation may be called to pay in virtue of the county by-law.

II. The bonds or debentures to be issued by the said corporation shall be for an amount of one hundred dollars each, payable in twenty-five years, and bearing interest at six per centum per annum, said interest payable semi-annually at the Merchants Bank of Canada, in Montreal.

III. For the purpose of paying the interest upon the said bonds or debentures, and for the purpose of establishing a sinking fund of two per centum per annum upon the amount of said subscription, over and above the interest thereon, a special rate or assessment is hereby imposed upon all taxable real property in the said municipality of the parish of St. Andrews, as follows:

The said rate of assessment shall, for every one hundred dollars of the assessed value of the said taxable property, be of thirty-five (35) cents for the year following that in which the above condition, contained in the clause marked (a) shall have been fulfilled, and seventy (70) cents for the year in which the condition mentioned in the above clause marked (b) shall have been fulfilled, and for each and every subsequent year until the full payment of the said bonds or debentures.

IV. The said special rate or assessment shall be due and payable the same as all other taxes and assessments which the said municipal council is authorized to impose, provided that in the event of an increase in the value of the taxable property of the said municipality, or of a dividend being received from the Montreal Northern Colonization railway company upon the stock thereof, the said municipal council shall gradually reduce the said special rate or assessment, and in the latter case such dividend shall be applied to the payment of the interest on the said bonds or debentures, and of the sinking fund as aforesaid.



## SCHEDULE C.

By-law to authorize the corporation of the county of Ottawa, in the province of Quebec, to take stock in the capital stock of the Montreal Northern Colonization Railway Company to the extent of two hundred thousand dollars, and to pay the same in bonds or debentures, and to impose a yearly rate to pay interest and provide for a sinking fund.

WHEREAS, in the opinion of the municipal council of the corporation of the county of Ottawa, the inhabitants of the said county are sufficiently interested in the railway which the Montreal Northern Colonization railway company are authorized to construct from Montreal to Aylmer, to warrant the said corporation in taking stock in the said company to the extent of two hundred thousand dollars currency.

And whereas all the requirements of the several statutes in such case made and provided, and of the municipal code of the province of Quebec, have been complied with before the passing of the present by-law.

Now, therefore, the said municipal council of the said corporation, at a quarterly meeting thereof, regularly held, at the town hall, in the village of Aylmer, in the said county, on this twelfth day of June, in the year of our Lord eighteen hundred and seventy-two, in the manner, and after the observance of all the formalities prescribed by the statutes in such case made and provided,—at which said meeting the following members thereof are present, to wit: the warden, Alexandre Bourgeau, mayor of the municipality of the village of Aylmer aforesaid, and the following councillors, to wit: F. Samuel Mackay, mayor of the municipality of the parish of Ste. Angelique; Ezra B. Eddy, mayor of the municipality of the township of Hull; Hiram Dunning, mayor of the municipality of the township of Bouchette; George Johnston, mayor of the municipality of the township of Masham; Seth Cates, mayor of the municipality of the township of Wakefield; Hector McLean, mayor of the municipality of the township of Eardly; Michael Lavell, mayor of the municipality of the parish of St. Malachi; Martin O'Mealley, mayor of the municipality of the township of Lowe; François Xavier Bouvier, mayor of the municipality of the township of Templeton; Patrick Kelley, mayor of the municipality of the township of Buckingham; Charles Major, mayor of the municipality of the parish of Notre Dame de Bonsecours; Joseph Joubert, mayor of the municipality of the township of Ripon; Archibald Campbell, mayor of the municipality of the

township of Lochaber; McPherson Lemoyne, mayor of the municipality of the village of Buckingham; William Weatherdon, mayor of the townships of Malgrave and Derry; and Edouard Leduc, mayor of the municipality of the parish of St. André Avelin; forming a quorum of the said council under the presidency of the said warden of the said council, have ordained and enacted, subject to the consent of the electors of the said county duly qualified by law to vote in approval or disapproval of said by-law first had and obtained, in the manner provided for in and by the municipal code of the province of Quebec, and of the statutes in such case made and provided, and do hereby ordain and enact as follows:

SECTION 1.—Upon the terms and conditions hereinafter stipulated and provided for, the warden of the said county shall be, and he is hereby authorized and required for and on behalf, and in the name of the said corporation to subscribe for and take twenty thousand shares of stock in the said Montreal Northern Colonization railway company, and the said terms and conditions are as follows:

SECTION 2.—The amount of the said subscription shall be payable in debentures of the said corporation, which debentures shall be for an amount of one hundred dollars each, and shall be payable in twenty-five years from the date of their issue respectively, bearing interest at six per centum per annum, said interest payable half-yearly, on the first day of January and July in each year, at the Merchants Bank of Canada, in the city of Ottawa. And such debentures shall rank equally upon the taxable real estate in the said county, notwithstanding that they may bear different dates:—and such debentures shall be accepted by the company at par, in payment of the said subscription.

SECTION 3.—For the purpose of insuring the due application of the said subscription to the construction of the said railway in the manner most favorable to the interests of the said county, the said subscription shall only be exigible as follows:

a. One hundred and fifty thousand dollars as the work of the railway progresses within the said county of Ottawa, such payments not to exceed fifty per cent of the value of work done and materials furnished on the line between the boundary of the county of Argenteuil and the village of Aylmer, and not to exceed three thousand dollars on any one mile thereof.

b. Such payments on account shall be made monthly, as the work progresses, upon the certificate of the company's engineer, which may be verified, if required by the corporation, by an engineer to be elected by the municipal council of the said county.

c. The remainder of the said subscription, namely, fifty thousand dollars, shall be payable upon the completion of the said railway to Aylmer in running order, with rolling stock and appurtenances sufficient for the effective working thereof; said line to be in running order on or before the first day of December, in the year eighteen hundred and seventy-five.

SECTION 4.—In the construction of the said railway, the bridges over the principal rivers along its route, shall be built with substantial stone piers.—the rails, if of iron, shall not be less than sixty pounds weight per lineal yard; and if of steel, not less than forty-eight pounds per lineal yard; and the railway, generally, and its appurtenances, shall be all equal in quality, material and construction to the St. Lawrence and Ottawa railway.

SECTION 5.—For the purpose of paying the interest on the said debentures, and for the purpose of establishing a sinking fund of two per centum per annum upon the amount of such subscription, over and above the interest thereon, a special rate or assessment is hereby imposed upon the real estate in the said county of Ottawa, as follows: the said rate of assessment shall be for every dollar of the assessed value of said real estate, three mills in the dollar for the current financial year next after the commencement of the work of construction of the said railway within the county of Ottawa, and five and a-half mills in the dollar for the second and every subsequent financial year, until the said debentures are paid in full.

SECTION 6.—The said special rate or assessment shall be due and payable, the same as all other rates, taxes and assessments which the said corporation are authorized to impose; provided always, that in the event of an increase in the value of rateable real estate in the said county, or of a dividend being received from the said railway company upon the stock so to be subscribed for, the said corporation of the said county may gradually reduce the said special rate of assessment, and in the latter case, such dividends shall be applied to the payment of the interest on the said debentures, and to the sinking fund aforesaid.

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#### SCHEDULE D.

By-law to authorize the corporation of the village of Ste. Thérèse de Blainville to take stock in the capital stock of the Montreal Northern Colonization railway company, to the extent of twelve thousand dollars, and to pay the same in cash or debentures, and to impose a yearly rate to pay interest and provide for a sinking fund.

PROVINCE OF QUEBEC, } At a special meeting of  
Municipality of the village of } the municipal council of the  
Ste. Thérèse de Blainville. } village of Ste. Thérèse de  
Blainville, in the county of Terrebonne, in the district of  
Terrebonne, convened by the mayor, J. V. Léguerier, and  
held in the said village, at the ordinary place of meeting  
of the council, the second day of the month of April, one  
thousand eight hundred and seventy-two, conformably to  
the provisions of the municipal code of the province of  
Quebec, at which meeting were present :

The mayor, Joseph Victor Léguerier, and the councillors  
M. H. E. Gaudette, Seraphin Ouimette, J. Brunette, L.  
Deschambault, Jérémie Deschambault, George Graton, con-  
stituting a quorum of said council, under the presidency of  
the mayor, the said J. V. Léguerier. All the members  
being present, the seven, having after verification, received  
notice of the convening of this meeting.

It is ordained and enacted by by-law of the council as  
follows :

I. The mayor of the said municipality is authorized and  
required in the name of the said council, to subscribe for  
and take twelve hundred shares of stock, of ten dollars  
each, in the capital stock of the said Montreal Northern  
Colonization railway company, the whole subject to the  
following conditions :

a. The half of the said twelve hundred shares of stock,  
to wit: the sum of six thousand dollars, shall be due and  
payable to the said company whenever, and as soon as the  
bridge to be placed across the river Jesus, or the river of  
Mille Isles, by the said company, shall be built, and the  
said railway shall be completed and in working order from  
the city of Montreal to the extreme north-west of the said  
bridge in the parish of Ste. Thérèse de Blainville.

b. The second half or balance of the aforesaid shares or  
stock, to wit: the sum of six thousand dollars, shall be due  
and payable to the said company whenever and as soon as  
the said railway shall be completed and in working order  
from the city of Montreal to within the actual limits of the  
municipality of the said village of Ste. Thérèse de Blain-  
ville, or within the limits which may hereafter be set to  
the said municipality, by an act of the legislature of this  
province.

c. The point of junction between the principal line of  
the said railway and the St. Jérôme branch, as also a station  
or depot, shall be established within the actual limits of the  
village of Ste. Thérèse de Blainville, or within the limits  
that may hereafter be set to the said municipality, by an  
act of the legislature of the province.

d. The said corporation will have the right of paying the said shares in cash or debentures, which shall be taken at par by the company.

II. For the purpose of paying the interest upon the said debentures, in case that debentures be issued to pay the subscriptions to the said shares, as aforesaid, and for the purpose of establishing a sinking fund of two per centum per annum, upon the amount of said debentures, over and above the said interest, which interest shall be six per centum per annum, a special rate or assessment is hereby imposed upon all taxable real property in the said municipality of the village of Ste. Thérèse de Blainville, as follows:

The said rate or assessment shall be, for every one hundred dollars of the assessed value of the said taxable property for the first year, to wit: for the year following that in which the said payment shall be made to the said company, of the first half of the aforesaid subscription, ninety-seven and a-half cents: for the second year, that is for the year immediately following the payment made to the said company of the second half of the aforesaid subscription, and for all the following years until the payment and extinction of the said debentures, one dollar and eighty-five cents currency.

III. The said special rate and assessment shall be due and payable the same as all other taxes and assessments payable by the municipal council provided that in the event of an increase in the value of the taxable property of the said municipality, or of a dividend being received from the said company upon the shares taken and subscribed for by the said corporation in the capital stock of said company, the municipal council of the village of Ste. Thérèse de Blainville, shall proportionately reduce the said special rate or assessment, and in the latter case such dividend shall be applied to the payment of the interest and sinking fund of said debentures.

IV. The debentures which shall be issued by the said municipal corporation shall be for a sum of not less than a hundred dollars each, payable in twenty-five years, and bearing interest at the rate of six per centum per annum, the said interest payable semi-annually.

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#### SCHEDULE E.

By-law to authorize the corporation of the parish of Ste. Thérèse de Blainville to take stock in the capital stock of the Montreal Northern Colonization railway company,

to the extent of twelve thousand dollars, and to pay the same in cash or debentures, and to impose a yearly rate to pay interest and provide for a sinking fund.

PROVINCE OF QUEBEC, }  
 Municipality of the parish of } At a special meeting of  
 Ste. Thérèse de Blainville. } the municipal council of  
 de Blainville, in the county and district of Terrebonne, convened by the mayor, J. V. Légurier, and held in the market hall of the village of Ste. Thérèse de Blainville, the second day of April, one thousand eight hundred and seventy-two, at ten o'clock in the forenoon, conformably to the provisions of the municipal code of the province of Quebec, at which were present:

The mayor, Vital Aubin, and councillors Octave Desjardin, Louis Jasmin, Jovite Gratton, Toussaint Labelle, constituting a quorum of the council, under the presidency of the mayor, the said Vital Aubin.

It is ordained and enacted by by-law of the council as follows:

I. The mayor of the said municipality is authorized and required in the name of the said municipality, to subscribe for and take twelve hundred shares of stock, of ten dollars each, in the capital stock of the said Montreal Northern Colonization railway company, the whole subject to the following conditions:

(a.) The half of the said twelve hundred shares of stock, to wit; the sum of six thousand dollars shall be due and payable to the said company whenever, and as soon as the bridge to be placed across the river Jesus or the river of Mille Isles, by said company, shall be built and the said railway shall be completed and in working order from the city of Montreal to the extreme north-west of the said bridge, in the parish of Ste. Thérèse de Blainville.

(b.) The second half or balance of the aforesaid shares or stocks, to wit: the sum of six thousand dollars, shall be due and payable to the said company whenever and as soon as the said railway shall be completed and in working order from the city of Montreal to the point of junction between the principal line of the said railway, and that part of the road known by the name of the St. Jérôme branch.

(c.) The said corporation will have the right of paying the said shares in cash or debentures, which shall be taken at par by the company.

II. For the purpose of paying the interest upon the said debentures, in case that debentures be issued to pay the subscription to the said shares, as aforesaid, and for the purpose of establishing a sinking fund of two per centum per

annum, upon the amount of said debentures, over and above the said interest, which interest shall be six per centum per annum, a special rate or assessment is hereby imposed upon all taxable real property in the said municipality of the village of Ste. Thérèse de Blainville, as follows :

The said rate or assessment shall be, for every one hundred dollars of the assessed value of the said taxable property, for the first year, to wit ; for the year following that in which the said payment shall be made to the said company, by the said municipality of the parish of Ste. Thérèse de Blainville, of the first half of the aforesaid subscription, eighteen cents, for the second year, that is for the year immediately following the payment made to the said company of the second half of the aforesaid subscription, and for all the following years until payment and extinction of the said debentures, thirty-six cents currency.

III. The said special rate or assessment imposed by the said corporation, shall be due and payable the same as other taxes and assessments imposed by the municipal council, provided that in the event of an increase in the value of the taxable property of the said municipality or of a dividend being received from the said company upon the shares taken and subscribed for by the said corporation in the capital stock of said company, the municipal council of the parish of Ste. Thérèse de Blainville, shall proportionally reduce the said special rate or assessment, and in the latter case such dividend shall be applied to the payment of the interest and sinking fund of said debentures.

IV. The debentures which shall be issued by the said municipal corporation shall be for a sum of not less than a hundred dollars each, payable in twenty-five years, and bearing interest at the rate of six per centum per annum, the said interest payable semi-yearly.

#### SCHEDULE F.

By-law to authorize the corporation of the parish of Saint Jérôme to take stock in the capital stock of the Montreal Northern Colonization railway company, to the extent of ten thousand dollars, and to pay the same in cash or debentures, and to impose a yearly rate to pay interest and to provide for a sinking fund.

PROVINCE OF QUEBEC, Municipality of the Parish of Saint-Jérôme,	}	At a special meeting of the municipal council of the pa- rish of Saint Jérôme, in the county of Terrebonne, convened by Louis Labelle, secre-
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tary-treasurer of said council, held at the village of St. Jérôme, in the market hall, on Monday, the eighth day of the month of July, one thousand eight hundred and seventy-two, at which were present :

P. R. T. DeMontigny, Esq., mayor, and the councillors Louis Gauthier, Guillaume Labrosse, Edouard Ratel and Pierre Plouffe, constituting a quorum of the council, under the presidency of the mayor, the other councillors, Alexander Filion and Charles Maurice, having, after verification, received notice of the convening of this meeting.

It is ordained and enacted by by-law, as follows :

I. The mayor of said municipality is authorized and required, in the name of the parish of St. Jérôme, to subscribe and take a thousand shares of stock, of ten dollars each, in the capital stock of the Montréal Northern Colonization railway company, the whole subject to the following conditions :

(a.) A station or depot of the said railway shall be placed or established, at the cost of the said Montreal Northern Colonization railway company, at such point as shall be judged suitable by the said company, within the limits of the municipality of the village of Saint Jérôme, at a distance however which shall not be of more than about seven or eight arpents from the parish church of the parish of Saint Jérôme.

(b.) The said corporation will have the right of paying the said shares in cash debentures, which shall be taken at par by the company.

(c.) In the event of the corporation of the parish of St. Janvier not subscribing a sum of five thousand dollars in the capital stock of said company, the said company shall not place or shall not allow to be placed a depot or station of said railway within the extent of the parish of Saint Janvier.

(d.) The said shares shall be due and payable to the said company whenever and as soon as the said road shall be in working order from the city of Montreal to the locality chosen by the said company within the limits of Saint Jérôme to be the terminus of said railway, and that the station shall be constructed with the buildings suitable to receive freight, that the said railway shall be built of iron in the same manner and of the same quality as is provided by article IV, of by-law No. 59, of the corporation of Montreal, and that the point of junction of the said railway from Montreal to Aylmer and of the Saint Jérôme branch shall be within the village of Sainte Thérèse, either to the east or to the south-east of the said village of Ste. Thérèse.

II. The debentures which shall be issued by the said municipal corporation shall be for a sum of not less than a



hundred dollars each, payable in twenty-five years, and bearing interest at the rate of six per centum per annum, the said interest payable semi-yearly, at the Merchant's Bank of Canada, at Montreal.

III. For the purpose of paying the interest and of establishing a sinking fund of two per centum per annum, on the amount of said debentures, over and above all said interest, a special rate or assessment is by the present by-law imposed on taxable property, situate in the said municipality of the parish of St Jérôme, as follows, to wit :

The valuation of real taxable property within the limits of the said municipality of the parish of St. Jérôme being (\$126,390,000) one hundred and thirty-six thousand three hundred and ninety dollars, the said rate shall be fifty-nine cents per hundred dollars, or five mills and ninety hundredths per dollar, for the year of the issue of the aforesaid bonds, and for each of the following years, until the full payment of said debentures.

IV. The said special rate or assessment shall be due and payable the same as the other taxes and assessments imposed by the municipal council, provided that in the event of an increase in the value of the taxable property of the said municipality, or of a dividend being received from the said company upon the shares taken and subscribed for by the said corporation in the capital stock of said company, the said corporation shall proportionally reduce the said special rate or assessment, and in the latter case such dividend shall be applied to the payment of the interest and sinking fund of said debentures.

V. If the said shares are sold by the corporation of the parish of St. Jérôme, after having obtained to make this transaction the consent of the majority of the tax-payers of the municipality of the parish of St. Jérôme, in a meeting regularly convened to this end, the price of this sale shall be applied to the payment of the interest and sinking fund of the said debentures.

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#### SCHEDULE G.

By-law to authorize the corporation of the village of St. Jérôme to take stock in the capital stock of the Montreal Northern Colonization Railway company, to the extent of fifteen thousand dollars, and to pay the same in cash or debentures, and to impose a yearly rate to pay interest and provide for a sinking fund.

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*Montreal Northern Colonization R. Co. Cap. 49.*

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PROVINCE OF QUEBEC, }  
Municipality of the village } At a special meeting of  
of St. Jérôme. } the municipal council of the  
county and district of Terrebonne, convened by Louis La-  
belle, secretary-treasurer, and held in the village of St.  
Jérôme, in the market hall, ordinary place of meeting of  
said council, Wednesday, the twenty-fourth day of the  
month of July, one thousand eight hundred and seventy-  
two, and adjourned from that day to Thursday, the twenty-  
fifth day of the said month of July, at seven o'clock p.  
m., at which meeting were present.

The mayor, Godf. Laviolette, and the councillors J. B. L. Villemure, Joseph Boisau, William Gauthier, Joseph Desforge, J. B. Latour, and Jérôme Longpré, under the presidency of the mayor, Godf. Laviolette, all the members of the council being present, and after verification, having received notice of the convening of the meeting ;

It is ordained and enacted by by-law of the council, as follows :

I. The mayor of said municipality is authorized and required, in the name of the village of St. Jérôme, to subscribe and take fifteen hundred shares of stock, of ten dollars each, in the capital stock of the Montreal Northern Colonization railway company, the whole subject to the following conditions :

(a.) A station or depot of the said railway shall be placed or established, at the cost of the said Montreal Northern Colonization railway company, at such point as shall be judged suitable by the said company, within the limits of the municipality of the village of St. Jérôme, at a distance however which shall not be of more than about seven or eight arpents from the parish church of the parish of St. Jérôme.

(b.) The said corporation will have the right of paying the said shares in cash or debentures, which shall be taken at par by the company.

(c.) The corporation of the parish of St. Janvier having disapproved the by-law No. 3, subscribing a sum of five thousand dollars in the capital stock of the said company, the said company shall not place or shall not allow to be placed a depot or station of said railway within the extent of the parish of St. Janvier.

(d.) The said shares shall be due and payable to the said company whenever and as soon as the said road shall be in working order from the city of Montreal to the locality chosen by the said company within the limits of St. Jérôme to be the terminus of said railway, and that the station shall be constructed with the buildings suitable to receive

freight, that the said road shall be built of iron in the same manner and of the same quality as is provided by article IV, of by-law No. 59, of the corporation of Montreal, and that the point of junction of the said railway from Montreal to Aylmer and the St. Jérôme Branch, shall be within the village of Ste. Thérèse, either to the east or to the south-east of the said village of St. Thérèse.

II. The debentures which shall be issued by the said municipal corporation shall be for a sum of not less than a hundred dollars each payable in twenty-five years, and bearing interest at the rate of six per centum per annum, the said interest payable semi-yearly at the Merchants' bank of Canada, at Montreal.

III. For the purpose of paying the interest and of establishing a sinking fund of two per centum per annum, on the sum of said debentures, over and above said interest, a special rate or assessment is by the present by-law imposed on taxable property, situate in the said municipality of the village of St. Jérôme, as follows, to wit :

The valuation of taxable property within the limits of the municipality of the village of St. Jérôme being (\$136,649.00) one hundred and thirty-six thousand, six hundred and forty-nine dollars, the said assessment will be eighty-nine cents for each hundred dollars or eight mills and ninety hundredths per dollar, for the year of the issue of the aforesaid bonds, and for each of the following years, until the full payment of said debentures.

IV. The said special rate or assessment shall be due and payable the same as the other taxes and assessments imposed by the municipal council, provided that in the event of an increase in the value of the taxable property of the said municipality, or of a dividend being received from the said company upon the shares taken and subscribed for by the said corporation in the capital stock of said company, the said corporation shall proportionally reduce the said special rate or assessment, and in the latter case, such dividend shall be applied to the payment of the interest and sinking fund of the said debentures.

V. If the said shares are sold by the corporation of the village of St. Jérôme, after having obtained to make this transaction the consent of the majority of the tax-payers of the municipality of the village of St. Jérôme, in a meeting regularly convened to this end, the price of this shall be applied to the payment of the interest and sinking fund of the said debentures.

C A P . L .

An Act to amend the Acts incorporating the South Eastern Counties' Junction Railway Company.

[Assented to 24th December, 1872.]

WHEREAS the South-Eastern Counties' Junction railway company have, by petition, prayed for the amendment of their act of incorporation and of the act amending the same, and for the extension of their railway, and for a change of the name of the said company; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. The branch line to St. Césaire, now in course of construction by the company, is hereby declared authorized.

Preamble.

Branch to St. Césaire authorized.

2. The limitation contained in the 15th section of the act of incorporation of the said company, as to the amount of bonds which the said company may issue, is hereby repealed, and in the place and stead thereof it is hereby enacted that the said company shall have the right of issuing bonds on the whole of their line of road, made and to be made as the same progresses, to an amount not exceeding \$20,000 for each and every mile of said railway, but such issue shall not be made until any bonds issued under the powers granted to the said company by the said 15th section, have been returned to the said company and cancelled, unless such new bonds be issued as second mortgage bonds, and rank upon the said railway subsequent to any bonds which shall have been issued under the said powers. And all the other provisions of the said section 15, as amended by subsequent legislation, shall apply to the bonds to be issued under this act.

Sec. 15, of 29, 30 V. c. 100 amended.

Amount increased for which bonds may be issued.

3. For the purpose of completing the extension of the said railway hereby authorized, the said company shall have power to increase the capital stock thereof to the extent of \$15,000 per mile for each and every mile thereof which they shall contemplate extending the said railway, under the powers herein conferred, and before the said extension is commenced, stock to the extent of \$15,000 per mile upon such extension shall be subscribed, and ten per cent thereon paid up.

Power to increase capital stock

4. The name of the said company is hereby changed to "The South-Eastern Railway Company," but such change of name shall not effect any change in the corporation or

New corporate name.

Effect of change of name.

in the liabilities or assets of the said company. And the subscriptions of stock in the said railway already made, or voted and authorized by several municipal by-laws, namely, of the county of Brome, the township of Brome, the township of Lotton, the township of Sutton, the township of Danham, the municipality of the east part of the township of Farnham, and of the village of Farnham are hereby declared to constitute and authorize subscriptions of stock in the said company under the name of The South-Eastern railway company, and such subscriptions may be enforced and the amount thereof called in and collected by the said company, under the name of the South-Eastern railway company, in conformity with the conditions of the said by-laws respectively.

Any powers given this session to R. D. and Arthab. R. Co. to amalgamate with this company to be common to both.

5. In the event of any act being passed by the parliament of Quebec during the present session, confirming the agreements executed between the Richelieu, Drummond and Arthabaska Counties' railway company, and the said South Eastern Counties' Junction railway company, for the leasing of the railway of the said Richelieu, Drummond and Arthabaska Counties' railway, and for other purposes, or providing for the amalgamation of the said two companies the South Eastern railway company shall have the right to exercise the powers provided for by such act to the same extent as if they had been embodied in this act in full.

This act to form one with acts amended.

6. This act and the acts hereby amended shall be held and construed as though forming one and the same act; and the expression "the charter of the South Eastern railway company," shall be a sufficient citation of the said acts and of this act.

## C A P . L I .

An Act to amend the Acts respecting the Richelieu, Drummond and Arthabaska Counties' Railway Company; to confirm certain agreements between the said Company and the South Eastern Counties' Junction Railway Company, and for other purposes.

[Assented to 24th December, 1872.]

Preamble.

WHEREAS the Richelieu, Drummond and Arthabaska Counties' Railway Company have prayed for amendments to the act incorporating them in the respects herein-after set forth, and for the confirmation of two certain

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agreements entered into between them and the South Eastern Counties' Junction railway company, and it is expedient to grant their prayer ; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. The agreement between the Richelieu, Drummond and Arthabaska Counties' railway company and the South-Eastern Counties' Junction railway company, executed by and between the said companies at the city of Montreal, on the third day of February, 1871, before W. A. Phillips, notary public, and that certain other agreement executed between the said parties on the twelfth day of November last past, 1872, also before Phillips, notary public, are and each of them is hereby confirmed, excepting so far as the same are modified by the provisions of this act.

Certain agree- ments with South Eastern C. J. R. Co. confirmed.

2. For the purpose of better carrying out the terms and conditions of the said last mentioned agreement, and of facilitating the management of the said railways, under the lease agreed upon in the last mentioned of the said deeds, it is hereby enacted that, during the period of the said lease, the said companies shall be and they are hereby amalgamated, and shall hereafter continue and subsist as one corporation or body politic, under the name of "The South Eastern railway company," which name shall be and subsist in lieu of those heretofore appertaining to the said companies : but such change of name shall not be construed in any way to abrogate or affect any of the rights which the said two companies respectively had or have as separate corporations, nor in any way to effect any right or liability of either, or any suit, action or proceeding pending at the time when this act shall come into force, but the same shall continue as if this act had not been passed ; but any new proceedings which might have been adopted against either of the said two companies shall be had by the name hereby assigned to the two companies ; and such corporation by the name hereby assigned to it shall continue to have all and every the rights, powers, privileges and authorities of every nature and description whatsoever, and without any exception or reserve, heretofore vested in, conferred on, or given to the said two companies, or to either of them, which they might respectively have lawfully exercised under their present corporate names by virtue of any act of the legislature of the late province of Canada or of this province, or otherwise howsoever, subject always to the provisions of this act, and shall be capable of exercising and enforcing either in its said corporate name or in that of whichever of the said present companies may be interested therein each, all, and every the rights, powers, privileges

Name of amal- gamated com- pany.

Effect of change of name.

Proviso.

and authorities which either of them could at the time of the passing of this act have exercised or enforced, or at any time thereafter may become entitled to exercise or enforce, in its own name; and their real and personal estate of every description shall belong and be transferred to and continued in the said corporation under its said name; provided always, that the rights and remedy of all municipalities and creditors of every class and degree of either of the said two companies, shall continue to exist unimpaired and be in no way lessened, interfered with, or affected by this act or anything herein contained, and all classes of bondholders having mortgage on any real estate of either company shall continue to have unimpaired, and maintained in their several rights and privileges as though this act had never been passed; but in respect of liability incurred for any torts, wrongs or other things done by either company before this act shall come into effect, as contradistinguished from the separate obligations or debts contracted by either company, the property, assets and effects, whether real or personal, of such separate company, existing as belonging to it at the time this act shall come into effect, shall alone be held bound, and shall be liable to be attached, seized and taken;

Inventory to be made of property, &c. of each company amalgamated.

and the company shall, within one month from the acceptance of this act by the said two respective companies, prepare an inventory shewing minutely and fully the property, assets and effects belonging to each of such respective companies at the time of such acceptance, so that the same may be distinguishable and susceptible of identification for all legal purposes whatever.

Joint board of directors.

**3.** For the management of the affairs of the said corporation, and in lieu of the present two boards of direction, there shall be one board of directors, to be composed of not less than seven, nor more than ten elected directors, in addition to the *ex-officio* directors; such elected directors, shall in the first instance be elected at a special general meeting of the company to be held in the city of Montreal, on the fourth Wednesday next after this act shall have been accepted by both of the said two companies, or so soon thereafter as may be found practicable; and until such first election shall have taken place, the elected directors of the South-Eastern Counties' Junction railway company, in office, at the time of such acceptance, shall be the elected directors, and the *ex-officio* directors of each of the said companies shall be the *ex-officio* directors, of the amalgamated company.

Annual general meetings.

**4.** The annual general meetings of the company shall be held hereafter in the city of Montreal, on the third Wednesday of July.



5. At all general meetings of the company, the share-holders shall be entitled to one vote for every twenty dollars of paid up stock; and the municipalities presently entitled to vote at such meetings of the Richelieu, Drummond and Arthabaska Counties' railway company, shall continue to have the rights of voting, secured to them by the charter of the said Richelieu, Drummond and Arthabaska Counties' railway company.

6. For all the purpose contemplated by the said last mentioned agreement, and for the purpose of the issue of debentures on the property and assets of the said company as hereinafter provided, the board of the united company shall cause the accounts of the working of the portion of the said railway lying to the north of the Grand Trunk railway to be kept separate from those of the remainder of the said railway, and the nett proceeds of the running of the said northern portion of the railway shall be applied to the payment of the bonds and debentures issued with reference to and expressly hypothecating the said northern portion, and the nett proceeds of the running of the remainder of the united railway shall be applied to the debts and liabilities of such remaining portion exclusively; and for all purposes connected with the said united railway, the portion of the said united railway lying to the north of the Grand Trunk railway, shall be called the northern section—and the portion thereof lying to the south of the Grand Trunk railway, shall be called the southern section thereof.

7. It shall be competent for the board of directors of the said united railway to issue bonds or debentures thereon, hypothecating the said northern section of the said united railway, or the said southern section, exclusively, or both together, as may be deemed expedient, and as shall be declared in the body of such debentures. And such debentures when so issued shall constitute a first lien or privilege on the property, tolls and revenues of the portion of the said united railway in aid of which they shall be so issued; and shall not constitute any liability against or in respect of the other portion thereof, if it be so expressed in such debentures, but the bonds or debentures issued upon the northern section thereof may be guaranteed by the united company in such manner as to make such guarantee fall upon the southern section of the said united railway, with a lien and hypothec upon the said southern section, constituting a second charge thereon next after the bonds issued upon such southern section.

8. Such bonds may be issued on the said northern section to the extent of seven hundred and fifty thousand dollars.



the northern section.

lars, but from and out of the said sum the bonds referred to in the said last mentioned agreement hereby confirmed, and all other bonds issued under the previous acts respecting the Richelieu, Drummond and Arthabaska Counties' railway company shall be withdrawn or paid.

Sec. 3, of 34 V., c. 25 amended.

9. The third section of the act thirty fourth Victoria, chapter twenty five, is hereby amended by the substitution of the word "shall" for the words "may also if they think fit," occurring in the ninth line thereof; also, by the substitution of the words "Roxton Falls" for the word "Roxton," occurring in the thirteenth line thereof.

Provisions in case of the two charters varying in their terms.

10. Whenever as to any other matter affecting the conduct of the affairs of the company or the exercise of any of its rights, the existing charters of the said two companies vary in their terms, the sense of the charter of the South Eastern Counties' Junction railway company shall be followed, as being that of the company and regulative of such matter, unless in so far as the company by by-law may have previously made election of the terms of the charter of the Richelieu, Drummond and Arthabaska Counties' railway company as specially regulative thereof.

When preceding sections shall come into force.

11. The second and other preceding sections of this act shall not take effect, unless accepted and approved at a special general meeting of the shareholders of each of the said companies duly called and held for that purpose.

This act to form one with acts amended.

12. This act and the acts hereby amended shall be held and construed as though forming one and the same act; and the expression "the Charter of the South Eastern railway company" shall be a sufficient citation, as well of the said acts and of this act, as of the acts directly constitutive of the said South Eastern railway company.

#### SCHEDULES.

On this day, the third of May, in the year of our Lord one thousand eight hundred and seventy-one, before the undersigned public notary, duly commissioned and sworn in and for that part of the Dominion of Canada now constituting the province of Quebec, residing in the city of Montreal, in the said province, came and appeared the Richelieu, Drummond and Arthabaska Counties' railway company, a body corporate and politic, duly incorporated by an act of the provincial parliament of the province of

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Quebec, hereinafter called the first company, herein represented, and acting by Edward J. Hemming, esquire, of Wickam; Michel Mathien, esquire, of Sorel; William John Watts, esquire, of Grantham; and Moise Fortier, esquire, of St. David, in the said province of Quebec, directors of the said company, and a committee specially authorized to execute these presents by a resolution of the board of directors of the said company, duly called and held at Sorel, on the second day of May, instant; and the South-Eastern Counties' Junction railway company, a body corporate, also duly incorporated, hereinafter called the second company, and herein represented, and acting by the Honorable Christopher Dunkin, Hiram S. Foster, esquire, and Nathaniel Pettes, esquire, all of Knowlton, in the said province of Quebec, a committee thereof duly authorized to execute these presents by a resolution passed at a meeting of the directors of the said last mentioned company, held in the village of Knowlton, in the county of Brome, on the tenth day of January last past.

Who declared to me, notary: That, whereas, the said companies have been engaged in negotiations with respect to the matters hereinafter provided for, and heads of a suggested agreement in respect thereof, have been approved by the directors and stock-holders, respectively of the said two companies, and it now becomes necessary to enter into a regular contract and agreement, based upon the said heads. Now therefore, these presents and I, the said notary witness, that the said companies, represented as aforesaid, have agreed, and do hereby agree to and with each other as follows, to wit:

1. For the purpose of abbreviating the language of the present agreement, it is hereby declared that the words "the southern section," wherever used herein, shall mean the portion of the Richelieu, Drummond and Arthabaska Counties' railway lying between the Grand Trunk railway at Acton Vale, and the line of the South-Eastern Counties' Junction railway, and the words "the main line," shall signify the remainder of the railway of the said Richelieu, Drummond and Arthabaska Counties' railway company.

2. The intention of the present agreement is that the second company shall organize and arrange for the construction of the said southern section, with the aid only of such security as may be afforded by the said southern section itself, and by revenues to be derived from its working; and of subscriptions of stock specially and conditionally made in aid of the said southern section, and of such other subscriptions of stock and other sources of revenue as are hereby indicated as meant to be applied to that end, and shall be lessees of the said section when so constructed,

which section shall then be run by the said second company as a continuous line with the railway of the said first company.

But the southern section and the main line are not intended to be responsible in any way for the losses or obligations, or to share in any way in the gains of each other—and the following terms and conditions are agreed to by the said companies as the manner in which the foregoing intentions are to be carried out.

3. As preparatory to the construction of the said southern section, the said first company shall cause stock-books to be opened at such points on the said section as shall be indicated by the said second company, which stock-books shall contain a heading embodying the conditions contained in schedule A. to this agreement annexed, and all subscriptions in the said stock-book except such as are authorized by by-laws already passed by municipalities, south of the county of Bagot, without provision for such conditions, shall be made subject to such conditions, and when so made shall be accepted by the said first company, which shall be bound to cause such acceptance to be signified by such resolution of the stock-holders thereof or of the directors thereof, as may be deemed necessary in the premises, and these presents shall not have any force or effect except as regards the opening of the said stock-books until one hundred and seventy-five thousand dollars, (\$175,000,) of stock shall be subscribed thereon in manner aforesaid.

4. The conditions contained in the said schedule and more especially the conditions which relieve the said first company from any obligation to pay dividends to such subscribers of stock, and which provide for the application of the net proceeds of the running of the said section after payment of all charges thereon to the benefit of the subscribers of such stock, shall be binding upon the said parties hereto and upon the said subscribers of stock to the same extent, and in the same manner as if the said conditions were evidenced by a formal contract between the said companies and the said subscribers.

5. The proceeds of such subscriptions of stock shall be applied exclusively to the construction of the said section and its appurtenances, and the procuring and placing the requisite rolling stock thereon—and the said first company shall be bound to carry out the arrangements which may be made with the contractors for the construction of the said section in respect of such stock either by making calls thereon and paying the proceeds of such calls over to such contractor, or by making such calls and transferring them to such contractor.

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6. As a further means of paying for the construction of the said section, the first company will issue such bonds from time to time as shall be required to fulfil the conditions of the contract to be made for the construction of the said section—but such bonds shall only have a privilege or hypothec upon the said section and upon the rolling stock appertaining thereto and the revenues thereof, and shall not have any lien, privilege, or hypothec upon the main line nor upon the appurtenances, rolling stock or revenues thereof, and the said first company shall not be bound to issue such bonds in such a form as shall render it responsible for the payment of such bonds or of any sum of money on account thereof, or of the interest or coupons thereof above or beyond the amount of the net proceeds of the running of the said section over and above the running expenses thereof. The said second company hereby binding and obliging itself to pay the holders of such bonds, the coupons thereon when due, and to divide the remainder of the said net proceeds, if any there be, amongst the shareholders who shall have subscribed stock in the manner hereinbefore mentioned. And it is hereby further agreed that the bonds to be executed by the said first company in aid of the construction of the said section shall be in the form of schedule B, hereto annexed, or in words equivalent thereto.

7. As soon as the said subscription of stock shall be made, the said first company shall execute a contract for the construction of the said southern section with such persons, and upon such terms and conditions not inconsistent with this agreement as shall be approved of by the second company, but in executing the said contract, the said first company shall have the right expressly to relieve itself from any obligation to pay the contractor for such construction and from every obligation of any nature or kind whatsoever in connection with the said construction, except the obligations herein expressly imposed upon it, and more especially shall have the right to relieve itself by the language of the said contract from any obligation to pay the contract price or any part thereof, or to pay any land damages, or the price of any land required for the said section, or damages caused by any accident which may occur in the running of the said section, but the name of the said first company shall be used in all proceedings for the appropriation of land and for the adjustment of land damages in respect of the said section, and the contractor shall be authorized by the said first company to claim and receive from the government of the province of Quebec, such governmental subsidy as has been or shall be authorized or granted in aid of the construction of the said

southern section, and to take any other or further step or proceeding or sign any document or instrument which shall be requisite to enable the said contractor to obtain from the said government the said subsidy, the said first company however not to be in any respect regarded as a guarantor, that the said subsidy or any part thereof will be paid; the intention of these presents being that it shall be bound to give all reasonable assistance in obtaining it without being responsible for its being obtained, and the said contract shall contain conditions whereby the contractor will relieve the said first company from any obligation of any kind or description whatsoever arising out of the said contract, further than the obligation of issuing the said bonds subject to the conditions aforesaid, and of suffering its name to be used in the acquisition of the land required for road-way and depot grounds, and of assisting in the procuring of the said governmental subsidy.

8. So soon as the said section shall be completed and delivered by the contractor, the second company shall become and be the lessee thereof, and upon such delivery a formal deed of lease shall be executed by the said two companies upon the following conditions, in substance together with such other and further conditions as to details as shall not be inconsistent with these presents, and as shall be requisite for the due ordering and management of the matters arising from the running of the said section, and of the said main line as between the said two companies, namely :

First, the said second company shall receive the proceeds of the running of the said section, and all further sums of money which may be applicable to the running of the said section as remuneration for the use of rolling stock, proportionate mileage and the like, and shall apply the same, first to the payment of all charges and expenses of running the said section, and the payment of the interest upon the bonds issued as hereinbefore provided: and the balance thereof shall be paid in the nature of dividends to the persons who shall subscribe for the construction of the said section in the manner herein provided to the exclusion of any claim whatever by the stock-holders in the main line, or by the said first company to any part or portion of the said revenues.

The said second company shall be bound to keep the said section in repair and running order, shall be exclusively responsible for all damages which may occur to any person or persons by reason of the running thereof, or by accidents thereon, and shall perform to the entire exoneration and discharge of the first company all duties and obligations which otherwise the said first company would be

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subjected to and obliged to perform by the general railway act of the province of Quebec, or any other act, statute, regulation or order in council, and shall also pay to the exoneration of the said first company all taxes and assessments upon the said section, and upon its appurtenances and rolling stock.

The said southern section shall be run in connection with the main railway of the said first company, and with the remaining portion of the railway of the said second company as a continuous line, and neither company shall make or suffer to be made any lease, running arrangement, or connection with any other company to the prejudice of the said line as a continuous line or to the prejudice of the other contracting party hereto nor until the terms of any lease, running arrangement, or connection contemplated by one of the said companies shall have been submitted to and approved by the other, and the tariff of the said several companies shall be so framed as not to afford any advantage or create any preference in favor of any portion of the said combined lines over any other portion thereof, and the details of the running arrangements between the two companies shall be established in a liberal spirit on both sides, and any dispute or difference as to any of them shall be submitted to arbitration, and the allowance by the one company to the other for the use of rolling stock shall be adjusted in like manner, but nothing herein contained shall prevent the said first company from carrying out and performing all the conditions incumbent upon it under the provisions of a certain by-law of the county of Drummond, passed on the twenty-fourth day of April last past.

The lease so to be executed shall be a lease in perpetuity by the said first company to the said second company of the said southern section, and it shall be a condition thereof that the breach by the said second company of any of the material conditions of the said lease shall be a ground for cancelling and terminating said lease.

9. Upon the execution of a lease between the said two companies as above provided, each of the said companies shall be bound to do anything or execute any deed or instrument that may be required fully to carry out the true intent and meaning of these presents.

10. It is hereby agreed that nothing in these presents contained shall in any manner or way be held personally to bind any of the parties to the execution hereof, whether any matter or provision herein contained be strictly within the legal authority of the said companies or not, and in the event of its being deemed expedient to procure a ratification of the present agreement by legislative enactment,

both of the said companies shall be bound and they hereby bind themselves to co-operate in obtaining such legislative provisions as may be deemed necessary in the premises.

And it is hereby further declared to be a condition of these presents that in the construction contract to be executed, the completion of the said southern section shall be stipulated for at the same time as that fixed for the completion of the main line to Acton Vale, and the respective contracts for the main line and for the said section shall be so arranged as to enable the said line to be used as a continuous line forthwith, and the terminus of both lines shall be at Acton Vale aforesaid, at a convenient point for their junction.

And for the purpose of adjusting the rights of the holders of bonds of the said first company, it is hereby further agreed, that the bonds to be issued by the said first company in aid of the construction of the said main line, and all bonds of any nature or for any purpose whatever which the said first named company may execute, except such as are issued under the provisions hereof in aid of the construction of the said southern section, shall contain a special and express limitation of the lien and hypothec thereby created upon the said main line, and the appurtenances and rolling stock thereon, and the revenues to be derived therefrom exclusively, and an express declaration that said lien, privilege or hypothec shall not apply to the railway, rolling stock, appurtenances or revenues of the said southern section.

And whereas certain municipalities have already passed by-laws authorizing the subscription of stock in the said first company, namely, the township of Shefford, the village of Waterloo, the township of Roxton, and the village of Roxton, which by-laws do not contain the conditions hereinbefore specified, but are intended to authorize a subscription of stock for the purposes of the said southern section only, and which it is hereby agreed shall be applied exclusively to the construction of the said section, and as it is necessary to make some provision herein for preventing any claim of the said municipalities upon the said first company for dividends on the said stock, it is hereby further agreed that the said first company shall not take into its calculations for any dividend, the share of stock so subscribed for by the said municipalities, nor pay them, nor recognize any obligation to pay them "any dividend whatever." But that, in the event of their making any claim for such dividend, the second company shall be bound to guarantee the said first company, and to hold it harmless against such claim for dividend, and if any proceedings should be taken or had for the enforcement of such claim,



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shall take up the *fait et cause* of the said first company, and shall pay all costs, damages, expenses and condemnation money that may be awarded against said first company to its entire exoneration and discharge.

And for the execution hereof, the said parties have elected domicile at their ordinary places of abode above mentioned, where, &c.

Done and passed at the said city of Montreal, in the office of William Anderson Phillips, the said undersigned notary under the number three thousand two hundred and six, and signed by the said parties hereto, with, and in the presence of the said notary, also hereunto subscribing, these presents having been first duly read according to law.

(Signed,)	E. J. HEMMING,
"	M. MATHIEU,
"	W. G. WATTS,
"	MOISE FORTIER,
"	CRISTER. DUNKIN,
"	H. S. FOSTER,
"	N. PETTES,
"	W. A. PHILLIPS, N. P.

A true copy of the original hereof, remaining of record in my office, (one marginal note is valid.)

W. A. PHILLIPS, N. P.  
WILFRID LAURIER, P.

SCHEDULE.

On this day, the twelfth of the month of November, in the year of Our Lord one thousand eight hundred and seventy-two,

Before the undersigned public notary for the Province of Quebec, residing in the city of Montreal,

Personally came and appeared,

The Richelieu, Drummond and Athabaska Counties' railway company, herein represented, and acting by Valentine Cook, of Wendover, in the county of Drummond, in the said province, esquire; Edward John Hemming, of Wickham, in said county, in the said province, esquire, and William J. Watts, of Drummondville, in the said province, esquire, shareholders in the said company, duly named as a committee for the purposes hereof, by a resolution passed at the adjourned annual meeting of the share-



holders thereof, held at Sorel, on the sixth day of November instant month, hereinafter named the party of the first part,

And Louis Adelard Sénécal, esquire, of St. Thomas de Pierreville, in the county of Yamaska, contractor of the said company, party of the second part;

Which said parties declared unto me, the said notary, that the said party of the second part, for and in consideration of the sum of one hundred thousand dollars, to be paid to him by the said party of the first part, in manner following, to wit: *Five thousand dollars* in unpaid private subscription of stock in said Richelieu, Drummond and Arthabaska Counties' railway company, to be selected by the said party of the second part; *five thousand dollars* in and by the promissory note of the South Eastern Counties' Junction railway company, hereinafter mentioned, endorsed by the honorable Asa B. Foster, payable six months after date; *ninety thousand dollars* in and by five promissory notes of the Richelieu, Drummond and Arthabaska Counties' railway company, endorsed by the said South Eastern Counties' Junction railway company, for the sum of eighteen thousand dollars each, payable at the end of one, two, three, four and five years respectively after date, with interest at seven per cent per annum, from the date thereof, collateral security for the amount of said last mentioned notes, consisting of the bonds of the said Richelieu, Drummond and Arthabaska Counties' railway company, guaranteed by the said South Eastern Counties' Junction railway company, to the amount of ninety thousand dollars; such bonds to have priority and rank as first mortgage bonds, immediately after those already issued in favor of the county of Drummond, and to be deposited in the Merchants' Bank of Canada, in Montreal, said bonds to be redeemable in five years from the date thereof, and bearing seven per cent interest, and in case the said last mentioned notes, shall not be paid at maturity, the said party of the second part shall have the right to sell such amount of said bonds, at the rates then current, as may be necessary to meet the amount then due, to the said party of the second part, hath agreed and by these presents doth agree, to rescind, annul and cancel all and singular the contracts that now subsist between him and the said party of the first part, as well for the construction of said road as for the construction of the bridge over the river St. Francis, and to relinquish and give up all and every claim (including the fifty one thousand dollar bonds of the party of the first part, issued in favor of the party of the second part,) that he has or may pretend to against the said party of the first part, for work performed by him or material or rolling stock, furnished by

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him in virtue of any contract subsisting between him and said party of the first part; and further, to transfer to the said party of the first part, such rolling stock and other materials provided by him in the construction and working of said railway, as the same is now situated on the said railway, and to transfer all stock now held by him directly or indirectly, in the said Richelieu, Drummond and Arthabaska Counties' railway company, to the honorable Asa B. Foster, to be held by him in trust for the said South Eastern Counties' Junction railway company.

And to these presents came and intervened the South-Eastern Counties' Junction railway company, herein represented and acting by James O'Halloran, esquire, of Cowansville, in the district of Bedford, vice-president thereof; Edmund L. Chandler, of the Township of Brome, esquire, secretary-treasurer thereof; Hiram S. Foster, esquire, of Knowlton, in the county of Brome, Nathaniel Pettes, esquire, of the same place, and Samuel W. Foster, esquire, of Knowlton, aforesaid, duly authorized by said last mentioned company, for the effect thereof, herein styled the party of the third part, who having taken communication of the foregoing stipulation, in consideration of the lease herein-after mentioned, do contract and obligate themselves towards the said parties, firstly mentioned, in manner following:

That the said party of the third part shall, upon the execution and ratification of these presents, grant their guarantee to the bonds of the said party of the first part, to the extent of said ninety thousand dollars, and execute their promissory note, to the said party of the second part, for the sum of five thousand dollars, endorsed by the said honorable Asa B. Foster as aforesaid; and further, that the said party of the third part, shall construct and complete within two years, to be computed from the date of ratification of these presents by the parliament of the province of Quebec, the whole of the road comprised within the contracts of the said parties of the second part, hereby annulled, with a single track with iron rails, together with the necessary stations, workshops and freight sheds and other buildings necessary for the working of the said line, in a substantial and workmanlike manner, and in every respect equal to the other portion of the railway of the said party of the third part; provided, however, that should James Black, of the city of London, in that part of the United Kingdom called England, now present and representing certain English capitalists, succeed in obtaining the necessary funds, the said party of the third part agrees to complete the whole road in iron within one year, and also

agrees that the laying of such iron rails shall be commenced at the Sorel end of the said railway so leased, and further to keep the present wooden rails in good running order, until such time as they shall be superseded by iron rails, and to run at least one train each way on every working day during the season when it is practicable to run on wooden rails, and also to build and complete the bridge across the river St. Francis, agreeably with the contract entered into by the said party of the first part with the said party of the second part, within one year from the date of the ratification of these presents as aforesaid.

And in consideration of the premises, the said party of the first part hath agreed, and by these presents doth agree, to let and lease to the said party of the third part, the said Richelieu, Drummond and Arthabaska Counties' railway, with all and singular its appurtenances, rolling stock and material of every description thereunto belonging, for and during the period of nine hundred and ninety-nine years, and doth further transfer and make over to the said party of the third part, all assets, property, rights, claims and demands of every nature now owned and possessed by the said party of the first part, including provincial subsidy already earned or to be earned by said party of the first part; and further, the said party of the first part doth obligate itself to procure from the Legislature of the province of Quebec the confirmation of these presents, with such modifications thereof as may be deemed advantageous for the complete carrying out of the intentions of the contracting parties; also, the power of issuing bonds or debentures in aid of the performance by the said company of the third part of their undertaking hereby entered into to complete the said railway with iron rails to such amount and at such time and times as shall be required by the company of the third part, it being the understanding of the said parties hereto, that the credit, assets, tolls and revenue of the said company of the first part, shall be hypothecated for that purpose, such bonds or debentures to rank and take priority according to their date, and the said company of the first part doth further bind and oblige itself to maintain and keep up its own corporate existence, and at all times by its corporate action to give effect and efficiency to the aforesaid lease, and as said provincial subsidy shall be called to demand and pay over the same to the said party of the third part, in consideration of which the said party of the third part hath agreed, and by these presents doth agree, to assume all and singular the obligations, debts and liabilities of the said party of the first part, existing at the date of the execution and ratification of these presents, which debts the said party of the first part declare not to exceed five

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thousand dollars, apart from the liability of the said company under the by-law of the county of Drummond, of the twenty-fourth of April, eighteen hundred and seventy-one.

And it is further specially agreed and understood by and between the said parties of the first and third parts, that the said party of the third part shall at all times carry and transport all cordwood, bark and manufactured lumber, the property of persons resident within the counties of Richelieu, Yamaska, Drummond and Bagot, at such rates as may from time to time be sanctioned by the lieutenant-governor in council.

And it is further agreed by and between the said parties of the first and third parts, that the stock-holders in the said company of the first part shall, notwithstanding such lease, be entitled to receive in each year, the same rate of dividends on their paid up stock as the stock-holders of the company of the third part, may be entitled to receive in such year, the whole without reference to the traffic, earnings or profits of the railway of the said company of the first part in such year.

And it is further agreed, that the said parties of the first and third parts shall unite to petition the legislature at Quebec for, and do all in their power to obtain from the same, all enactments needed or desirable with a view to the future carrying out of this agreement by the said party of third part and otherwise.

And it is further agreed, that these presents shall be ratified by a meeting of the shareholders of the said South-Eastern Counties' railway company, party of the third part, within fourteen days from the date of the execution hereof, and the necessary payments, transfers and possession given within the same delay.

Done and passed at the said city of Montreal, in the office of William Anderson Phillips, the said notary, under the number four thousand eight hundred and ninety-seven, and signed by the said parties hereto, with me the said notary subscribing after these presents had been to them duly read

(Signed),

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VALENTINE COOK,  
E. J. HEMMING,  
W. J. WATTS,  
L. A. SÉNÉCAL,  
JAS. O'HALLORAN,  
E. L. CHANDLER,  
H. S. FOSTER,  
N. PETTES,  
SAM. W. FOSTER,  
W. A. PHILLIPS, N. P.

A true copy of the original hereof remaining of record in my office.

(Signed),

W. A. PHILLIPS,

N. P.

WILFRED LAURIER,

P.

## CAP. II.

An Act to provide for the granting of Aid to certain Railway Companies.

[Assented to 28th January, 1874.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

- The lieut. gov. may grant \$2,500 per mile to certain railway companies.
1. The lieutenant-governor in council may, subject to the conditions and limitations contained in the Colonization railway aid act of 1869, in relation to the conversion of subsidy therein mentioned, and further subject to the conditions, limitations and provisions of this act, grant provincial aid in lieu of that specified in the said Colonization railway aid act of 1869, to the extent of two thousand five hundred dollars for each and every continuous and unbroken mile of railway, with no additional allowance for bridges, to each of the following companies, namely :
- The Quebec and Lake St. John railway ;
  - The Levis and Kennebec railway ;
  - The South-Eastern railway, for such portion thereof as formerly belonged to the Richelieu, Drummond and Arthabaska Counties railway ;
  - The Philipsburg, Farnham and Yamaska railway ;
  - The Missisquoi and Black River Valley railway ;
  - The Quebec Frontier railway ;
  - The Quebec and New Brunswick railway ;
  - The St. Francis and Megantic International railway ;
  - The Bay of Chaleurs railway ;
  - The Sherbrooke, Eastern Townships and Kennebec railway ;
  - The Waterloo and Magog railway ; and,
  - The Montreal Northern Colonization railway (branch line.)
- The lieutenant-governor in council may also, subject to the foregoing conditions, grant unto the Montreal, Chambly and Sorel railway company, and unto the South Eastern railway company, provincial aid to the extent of one thousand dollars per mile, for such length of road as belonged to each, before the amalgamation of such railway compa-
- \$1,000 per mile may be granted for the road built by certain companies before their amalgamation.

nies respectively, with other companies, on compliance with the law in that behalf

2. All sums of money heretofore paid by the government of this province to any of the above mentioned railway companies, under the act referred to in the foregoing section, or under any act amending the same, shall be deemed to have been paid to such company on account of, and shall be deducted from the increased aid or subsidy to which it would otherwise have been entitled under this act.

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ment of this province to any of the above mentioned rail-  
way companies, under the act referred to in the foregoing  
section, or under any act amending the same, shall be  
deemed to have been paid to such company on account of,  
and shall be deducted from the increased aid or subsidy to  
which it would otherwise have been entitled under this  
act.

3. Notwithstanding any provision contained in the Colonization railway aid act of 1869, the lieutenant-governor in council, if he thinks proper, may nevertheless, when it is established that any one of such companies is actively engaged in the construction of its works, grant to it for each twenty-five miles or more of road completed or one continuous half of the whole line, a portion of such provincial aid, proportionate in amount to such length of road.

Aid may be  
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4. The Quebec and New Brunswick railway company shall not be entitled to any aid under this act unless it shall have, on or before the first day of January, one thousand eight hundred and seventy-five, signified in writing unto the secretary of the province, the abandonment by it of any claim to the grant of land specified in the eighth, ninth, tenth and eleventh sections of the act of this province, thirty-fourth Victoria, chapter twenty-one and the acceptance by it of the subsidy or aid accorded by this act; in the event of the company determining to accept such aid or subsidy, and so signifying its intention it shall be deemed to have forfeited, and shall forfeit all claim to the grant of lands mentioned in the said act.

The Quebec  
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grant of lands.

5. The St. Francis and Megantic International railway company shall not be entitled to any aid under this act, unless it shall have, on or before the first day of January, one thousand eight hundred and seventy-five, signified, in writing, unto the secretary of the province, the abandonment by it of any claim to the grant of land specified in sections two, three, and four of the act of this province, thirty-fifth Victoria, chapter twenty-three, and the acceptance by it of the subsidy or aid accorded by this act; in the event of the company determining to accept such aid or subsidy, and signifying its intention to that effect, it shall be deemed to have forfeited, and shall forfeit all claim to the grant of lands mentioned in the said act.

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grant of lands.

The Bay of Chaleurs railway co. must renounce its grant of lands.

6. The Bay of Chaleurs railway company shall not be entitled to any aid under this act, unless it shall have, on or before the first day of January, one thousand eight hundred and seventy-five, signified in writing, unto the secretary of the province, the abandonment by it of any claim to the grant of land specified in sections one and two of the act of this province, thirty-sixth Victoria, chapter forty-two, and the acceptance by it of the subsidy or aid accorded by this act; in the event of the company determining to accept such aid or subsidy, and signifying its intention to that effect, it shall be deemed to have forfeited, and shall forfeit all claim to the grant of lands mentioned in the said act.

The Quebec and Lake St. John railway co. must renounce its grant of lands.

7. The Quebec and Lake St. John railway company shall not be entitled to any aid under this act, unless it shall have, on or before the first day of January, one thousand eight hundred and seventy-five, signified in writing unto the secretary of the province the abandonment by it of any claim to the grant of land specified in sections five and six of the act of this province, thirty-fifth Victoria, chapter twenty-three, and the acceptance by it of the subsidy or aid accorded by this act; in the event of the company determining to accept such aid or subsidy, and signifying its intention to that effect, it shall be deemed to have forfeited, and shall forfeit all claim to the grant of lands mentioned in the said act.

Certain companies must be organized, and have at least 10 miles of road ready to receive rails before 1st Nov., 1874.

8. If any company mentioned in the first section of this act, with the exception of the Quebec and New Brunswick railway, the St. Francis and Megantic International railway, the Bay of Chaleurs railway, and the Quebec and Lake St. John railway, to which four companies the provisions of this section shall in no manner apply, is not upon the first day of November, one thousand eight hundred and seventy-four, fully and in good faith, organized under the charter thereof, and has not on such day, at least ten miles of road graded and in perfect readiness for rails to be laid down thereon, such company shall not be entitled to any grant under the first section of this act, but, on the contrary, in so far as relates to any such railway company, the grant mentioned therein shall be entirely inoperative and of no effect.

A loan of \$761,366 may be made for the railway from Montreal to Aylmer.

9. The lieutenant-governor in council may, subject to the provisions of the next following sections grant, by way of loan, to the Montreal Northern Colonization railway company, for building a railway from Montreal to Aylmer, provincial bonds or debentures to the extent of seven hundred and fifty-one thousand three hundred and sixty-six dollars,



which he is hereby authorized to issue in such forms, for such amounts, and subject to such provisions in respect thereof, as shall be deemed to be in the public interest.

Issue of bonds for this purpose authorized.

10. The said last mentioned company shall be entitled to the said loan, upon the following conditions only :

Conditions.

1. The whole of the said railway shall have been completed and put into operation between Montreal and Aylmer, and also the branch of the said road from Ste. Thérèse de Blainville to the village of St. Jérôme, on or before the first day of May, one thousand eight hundred and seventy-six, to the entire satisfaction of the lieutenant-governor in council ;

Delay.

2. The said railway shall connect with the North Shore railway from Quebec to Montreal, at such point as has been determined by the lieutenant-governor in council ;

Connection with North Shore railway.

3. The lieutenant-governor in council shall have the appointment of one third of the directors of the company, without counting the *ex-officio* director or directors representing municipalities, and no city, town or municipality shall be represented in the company by a greater number of directors than the lieutenant-governor in council ;

Governor directors

4. The company shall, on or before the first day of August, one thousand eight hundred and seventy-four, signify in writing, unto the secretary of the province, the abandonment by it of any claim to the grant of lands specified in section five of the act of this province, thirty-fourth Victoria, chapter twenty-one, and section three, of the act also of this province, thirty-sixth Victoria, chapter forty-two, except the share of the said company in that portion of the said land grant described in the schedule of the said act, thirty-fourth Victoria, chapter twenty-one, as block A, and the acceptance by it of the grant or loan accorded by this act. In the event of the company determining to accept such grant or loan, and signifying its intention to that effect, it shall be deemed to have forfeited, and shall forfeit all claim to the grant of lands mentioned in the said acts, except as hereinabove mentioned ;

Abandonment of grant of lands, except share of lands in block A.

5. The company shall, on receiving the provincial bonds or debentures or any part thereof, as hereinafter provided, give in exchange therefor debentures of the company, bearing interest at the rate of six per cent per annum, to an equal and corresponding amount ;

Exchange of company's bonds bearing interest.

6. Such amount of the capital stock of the said company shall have been subscribed for, over and above the amount which has already been, or which may hereafter be subscribed for by municipalities, as the lieutenant-governor in council shall deem just and reasonable, and at least ten per cent upon such additional stock, shall have been *bonâ fide* paid in to the company ;

Capital to be subscribed.



Class of the road.

7. The main line of the said company's railway shall be a first class road, and shall have been accepted as such by the lieutenant-governor in council on the report of the provincial railway board.

Aid may be given for each 25 miles of road completed.

11. The lieutenant-governor in council may, however, if he thinks proper, when it is established that the said company is actively engaged in the construction of the works, grant unto such company as soon as twenty-five miles of the railway shall have been completed, and for every twenty-five miles thereafter, a portion of such provincial grant or loan proportionate to such length of road.

Issue of their bonds may be limited.

12. After the coming into force of this act, and the acceptance by the said company of the above mentioned loan, upon the conditions hereinbefore stated, the said company shall further undertake and oblige themselves not to issue their bonds or debentures, for any sum other or greater than that which may hereafter be fixed and determined by the lieutenant-governor in council.

The company, on receiving loan, shall give the bonds as collateral security.

13. The company shall, on receiving the provincial bonds or debentures, or any part thereof, give in exchange therefor, their bonds to an equal and corresponding amount, payable in thirty years, and bearing six per cent interest, and such bonds shall be held by the government as collateral security for the loan made to the said company under this act. But so soon as the said company shall be in a position to issue second-class bonds or debentures, such second-class bonds shall be handed over to the government in lieu and place of the bonds originally given to the government as aforesaid, and for a similar amount. And in either case the loan made by the government to the company in virtue of this act, both in principal and interest, shall rank after the subscription of stock now made, or hereafter to be made municipal corporations, and the dividends or profits thereon, and before all private subscriptions of stock and dividends accruing thereon.

These shall be replaced by 2nd class bonds.

Rank of loan.

Proportionate aid may be given for the road from Aylmer to Deep river.

14. If that part of the line of the Montreal Northern Colonization railway company, which extends from Aylmer to Deep River, has been definitely located, and the company has made satisfactory proof of their readiness to proceed with the work of construction, on or before the first day of June, one thousand eight hundred and seventy-five, it shall be lawful for the lieutenant-governor in council to grant unto the said company, by way of loan, provincial bonds or debentures which he is hereby authorized to issue, in such forms, for such amounts, and subject to such provi-

Issue of bonds for this purpose.

sions in respect thereof, as he shall deem expedient. But in the event of the said Montreal Northern Colonization railway company not proceeding with the construction of the line from Aylmer to Deep River in good faith—within the limit of time provided by this section—then, and in that case, the lieutenant-governor in council may authorize any railway company incorporated or to be incorporated to proceed with the construction of the said line between Aylmer and Deep River, and be entitled to the grant by way of loan, provincial bonds or debentures provided for in this clause. Such loan shall be made for an equal and corresponding amount per mile, and under the conditions and terms specified in this act, in relation to that portion of the said railway lying between Montreal and Aylmer.

Another company may be authorized to build the road, and when.

15. The lieutenant-governor in council may, subject to the provisions of the next following sections, grant unto the North Shore railway company, for building the North Shore railway from Quebec to Montreal, and the road from the city of Three Rivers to the Grandes Piles, and the establishment of a line of steamers on the St. Maurice, as mentioned in the act of the late province of Canada, intitled: "An act to incorporate the St. Maurice railway and navigation company," and by way of loan, the sum of one million, two hundred and forty-eight thousand, six hundred and thirty-four dollars, and payment of such grant or loan shall be made in and by means of provincial bonds or debentures, which the lieutenant-governor in council is hereby authorized to issue, in such forms, for such amounts, and subject to such provisions in respect thereof as he shall deem to be for the public advantage.

A loan of \$1,248,634 may be made to the North Shore road, and the road to the Grandes Piles, and to a line of steamers on the St. Maurice.

Issue of bonds for this purpose.

16. The company shall be entitled to such loan upon the following conditions only:

Conditions.

1. The said railway shall have been completed and put in operation to the entire satisfaction of the lieutenant-governor in council, and steam navigation shall have been put into operation on the St. Maurice. The lieutenant-governor however may, if he thinks proper, when it is established that the said company is actively engaged in the construction of its works, grant to it for each twenty-five miles of road completed, a portion of the said loan, proportionate in amount to such length of road; and provided moreover that he shall always retain a sufficient amount of the said loan to insure the entire completion of the road from the city of Three Rivers to the Grandes Piles, and the establishment of a line of steamers on the St. Maurice.

Road to be put into operation.

Aid may be given for each 25 miles of road completed.

A portion of the loan to be retained to insure the building of the Grandes Piles road.

Abandonment of grant of lands except share in lands in block A.

2. The company shall, on or before the first day of May, one thousand eight hundred and seventy-four, signify to the secretary of the province, the acceptance by it of such loan in lieu of the grant of lands to which it might otherwise have been entitled under the act of this province, thirty-fourth Victoria, chapter twenty-one, intituled: "An act to provide for the granting of certain lands in aid of the railway companies therein mentioned;" except the share of the said company in that portion of the said land grant described in the schedule of the said act as block A, and in and by such signification it shall resign and renounce, and shall be deemed to have resigned and renounced all claim to any such grant of lands, save and except the said share or portion in block A;

Company to exchange bonds, bearing interest.

3. The company, in exchange and return for all provincial bonds or debentures granted to it under the provisions of this act, shall give its own bonds or debentures for similar amounts; and all such bonds or debentures shall be redeemable within *thirty* years from the date thereof, and shall bear interest at the rate of six per cent per annum, and no such debenture shall be for a less sum than one hundred dollars.

Capital paid.

4. At least ten per cent shall be paid on all stock subscribed, and not cancelled by the board of directors, but this provision shall not apply to stock subscribed by municipalities;

Road to be a 1st class road.

5. The main line of the said railway, shall be a first-class road, and shall have been accepted as such by the lieutenant-governor in council, on the report of the provincial railway board.

Company may issue bonds to the amount fixed by lieutenant-gov.

17. After the coming into force of this act, and the acceptance by the said company of the above mentioned loan, upon the conditions hereinbefore stated, the said company may issue their bonds or debentures, for such sum as may hereafter be fixed and determined by the lieutenant-governor in council, and for no other or further sum whatsoever, any act to the contrary notwithstanding and such sum so fixed and determined shall be raised subject to the forms and provisions of the eleventh sub-section of the ninth clause of the railway act, contained in the consolidated statutes of Canada, chapter sixty-six, which shall apply to such loan.

Property of the company to be hypothecated and rank of hypothec.

18. And for securing the due payment of the bonds, debentures or other securities to be issued by the said company, as well by reason of the loan authorized by the foregoing section, as for and in exchange for the provincial

debentures to be granted under this act, the road, lands, and real and personal estate of the said company shall be charged and hypothecated in the order and manner following, that is to say :

1. In favor of all persons holding bonds or debentures issued by the company, under section seventeen of this act, which bonds and debentures shall be hereafter known and styled "North Shore railway company, first preference bonds";

2. In favor of the corporation of the city of Quebec and all other subscribing municipalities to the amount of the capital sum of their subscribed stock ; and a dividend thereon not exceeding seven per cent per annum ;

3. In favor of the government of this province, for the amount of the provincial bonds exchanged for the bonds and debentures of the company under the provisions of this act.

19. In the event of the company determining to accept the loan hereinabove specified, upon the terms and conditions set forth in this act, and signifying their acceptance thereof, in the manner and form herein provided, from and after the twentieth day of May, one thousand eight hundred and seventy-four inclusively, the board of directors of the company shall be composed of twelve members in addition to the representatives of the municipalities entitled to form part thereof. Of these twelve members, six shall be named by the lieutenant-governor in council, and six only shall, in future, be elected by the shareholders and bond-holders, in the manner hereinafter provided ; but until the twentieth day of May, one thousand eight hundred and seventy-four, the said board shall consist of the present directors, and until the next election of directors the board shall have power to fill vacancies among the directors elected.

20. In the election of directors of the said company after the twentieth day of May next, and at all elections thereafter, each shareholder shall be entitled to one vote for each one hundred dollars of stock held by him, upon which at least ten per cent shall have been paid up, and upon which all other and subsequent calls shall also have been paid up, and each person holding bonds or debentures of the said company issued under section seventeen of this act, shall be entitled to one vote for each one hundred dollars of bonds or debentures so held by him, and such shareholders and bond-holders shall be entitled to vote either in person or by proxy.

21. Notwithstanding anything to the contrary contained in this act, it shall be lawful for the lieutenant-governor

Number of directors.

Six to be named by lieutenant-gov.

Present board.

Qualifications required to vote.

Bond-holders shall vote.

Advances may be made to the Montreal

Northern Colonization and North Shore roads.

in council, on satisfactory proof that the Montreal Northern Colonization railway company, or the North Shore railway company, have made complete financial arrangements or entered into contracts in good faith, for the construction of their respective lines of road, and that the work thereon is in active progress, to advance, from time to time, unto either or both of such railway companies, out of the grant or loan, to which they would be entitled under this act, a sum bearing such proportion to the total amount of the grant authorized herein, as the progress of the work, and the security taken by the companies, for the completion thereof, may then seem to the lieutenant-governor in council to justify. But nothing in this section shall in any way affect the proviso contained in the sixteenth section of this act.

Proviso.

This act shall not apply to companies not declaring their option within the prescribed delays.

22. In the event of any of the said railway companies neglecting to exercise the option conferred upon it or neglecting to signify its acceptance in the manner and within the delay prescribed in this act, then and in such case, the provisions of this act shall in no respect apply to such railway company, and in so far as concerns such railway company this act shall be deemed not to have been passed.

Provincial bonds.

23. All provincial bonds or debentures issued under the authority of this act shall be made payable in thirty years from the date thereof, and shall bear interest at the rate of five per cent per annum, and in the case of the issue thereof, it shall be the duty of the treasurer of the province, to cause to be invested yearly, one per cent on the amount of such bonds or debentures, as a sinking fund, for the redemption of the principal thereof at maturity.

Sinking fund.

Negotiation of bonds.

24. The treasurer of the province, on being authorized by the lieutenant-governor in council, may negotiate and sell the said debentures mentioned, and pay the proceeds thereof to the respective railway companies under this act.

Citation of this act; its coming into force.

25. The expression "The Quebec railway aid act of 1874," shall be a sufficient citation of this act; and it shall come into force on the day of its sanction.

CAP. XVI.

An Act to amend the Quebec Railway Act, 1869.

[Assented to 28th January, 1874.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. Notwithstanding anything to the contrary contained in "The Quebec Railway Act, 1869," there shall be paid on every share hereafter subscribed in any iron or wooden railway company, incorporated by act of the legislature of this province, an amount of at least ten per cent, and that within six months after the subscription for each such share.

2. Within six months after the coming into force of this act, an amount of at least ten per cent shall be paid up, on every share already subscribed since the first of July, eighteen hundred and sixty-seven, in any iron or wooden railway company, incorporated by act of the legislature of this province, upon which, at the time of the coming into force of this act, a like amount of ten per cent shall not have been yet paid up.

3. No owner or holder of shares in any iron or wooden railway company, already incorporated since the first of July, eighteen hundred and sixty-seven, or which shall hereafter be incorporated, by act of the legislature of this province, shall in any case vote, by reason of any of his shares, unless he has paid upon such share, an amount of at least ten per cent.

4. This Act shall not apply to subscriptions of stock in railway companies, by municipalities.

CAP. XXII.

An Act to amend the Charter of the South Eastern Railway Company.

[Assented to 13th December, 1873.]

WHEREAS by the act of the Legislature of this Province, passed in the thirty-sixth year of Her Majesty's reign, and intituled: "An act to amend the acts respecting the Richelieu, Drummond and Arthabaska Coun-

ties' Railway Company, to confirm certain agreements between the said company and the South Eastern Counties' Junction Railway Company, and for other purposes," the said two railway companies were united and amalgamated, thereafter to continue and subsist as one corporation and body politic, under the name of the South Eastern Railway Company, and the said two companies have respectively accepted and approved of the said act in accordance with the terms thereof; and the said South Eastern Railway Company, so united and amalgamated, have by their petition set forth, that they have in great part already carried out the construction and equipment of their railway, and have a large part thereof in running order, and effectively operated over as a working railway, and are actively and earnestly engaged in the completion of the remainder, and that it is important, in order to enable them fully to carry out such their enterprise, that the said act and the other acts constitutive of their charter, should be amended and simplified in the manner hereinafter set forth, and it is expedient to grant their prayer; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Increase of capital.

**1.** The South Eastern Railway Company is hereby authorized to increase their capital stock to four million eight hundred thousand dollars, divided into forty-eight thousand shares of one hundred dollars each; and for each such share the holder and owner thereof shall be entitled to one vote at the meetings of the company.

Right to vote.

Proprietors of old stock may exchange for new.

**2.** Proprietors of stock of the heretofore Richelien, Drummond and Arthabaska Counties Railway Company, shall be entitled to, and shall receive in lieu thereof, stock of the South Eastern Railway Company, in the proportion of one share for every five shares of such their present stock; and whenever in order to effect such exchange, stock requires to be issued for any fraction of a share, such fraction, for so long as it remains the property of the party to whom it was issued, and no longer, may be voted upon, as though it were a whole share.

Fraction of a share.

Issue of bonds.

**3.** The South Eastern Railway Company may issue bonds on the one hundred and sixty miles of their railway made and in progress, to an amount not exceeding twenty thousand dollars for each and every such mile, that is to say: not exceeding in all three million, two hundred thousand dollars; first, however, calling in and redeeming all bonds issued either by the heretofore South Eastern Counties Junction Railway Company, or by the heretofore Riche-

Calling in and redeeming old bonds.



lieu, Drummond and Arthabaska Counties Railway Company.

4. Should any of such bonds fail to be redeemed, from refusal or neglect of the holders thereof to present them for redemption, the same shall be reckoned as though forming part of the issue of bonds hereby authorized, in so far only as regards the total amount of such issue, which shall stand reduced by the total amount of such unredeemed bonds; and any such unredeemed bonds may at any time thereafter be redeemed, and further issue made for the amount thereof under this act, in like manner as at the first; and until redeemed, all such bonds shall remain in full force, to all intents whatever, as though this act had not been passed.

Case of old bonds not redeemed.

5. All bonds redeemed as aforesaid shall thereupon stand *ipso facto* cancelled, and shall be to all intents null and void, and incapable of re-issue.

Bonds redeemed declared null and void.

6. All bonds issued under this act shall be made payable at the expiration of not less than twenty years from their date; and shall bear a rate of interest not greater than seven *per cent per annum*; and may be made payable in sterling in London, England, or in gold in the city of Boston, in the United States of America.

New bonds.

7. Such bonds shall bear equal hypothec and shall constitute a first lien or privilege on the entire property, and revenues of the South Eastern Railway Company, without reference to any sectional division thereof, subject only to the provisions of this act hereinbefore set forth, respecting any unredeemed bonds, which shall continue to preserve their first lien and privilege until redeemed.

Privilege and rank of bonds.

8. The sixth, seventh and eighth sections of the act in the preamble of this act mentioned, are hereby repealed; and all other provisions of the said act, or of any other of the acts constituting the charter of the South Eastern Railway Company, whereby distinction is made, implied or recognized, between the so-called Southern and Northern sections of the South Eastern Railway, or between the two heretofore railways now forming the same, are also hereby repealed, in so far only as regards such distinction; and the said railway is hereby expressly declared one railway, and all and every the powers, authorities and obligations of the South Eastern Railway Company, whether devolving on it from either of the two heretofore companies now merged therein, or otherwise, in

Repeal of certain provisions of acts.

Powers of the South Eastern railway co. defined.

respect of either of such sections or heretofore railways, are hereby declared to extend to and cover the whole of the said railway, in so far as the same in any wise admit of or require such extension in the interest and for furtherance of the undertaking of the said company.

Disposal of the  
new stock.

9. The South Eastern Railway Company may at any time issue the whole or any part of the amount of their further stock or bonds, or both, as the same are authorized by this act, and employ the same as security for the loan of money or purchase of further iron or rolling stock to complete and equip their railway, should they deem it in the interest of their undertaking so to do.

Repeal.

10. All provisions of any of the acts constituting the charter of the South Eastern Railway Company, in any wise inconsistent with this act, are hereby repealed.

Interpreta-  
tion.

11. This act, and the other acts presently citable as the charter of the South Eastern Railway Company, shall be held and construed as though forming one and the same act; and the expression, "The Charter of the South Eastern Railway Company," shall be a sufficient citation, as well of this act, as of such other acts.

Citation.

Coming into  
force of this  
act.

12. This act shall come into force on the day when it shall be assented to by the lieutenant-governor of the province.

### CAP. XXIII.

An Act to amend the Act assented to the 24th December, 1872, intituled: "An Act to amend the Act incorporating the Levis and Kennebec Railway Company."

[Assented to 28th January, 1874.]

Preamble.

WHEREAS the Levis and Kennebec Railway Company have prayed, that the act to amend their act of incorporation be amended in the particulars hereinafter set forth, and it is expedient to grant their prayer; and whereas it appears that certain bonds, to an amount not exceeding two hundred and eighty thousand dollars, have been issued under the fourth section of the said amending act; Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. The following words, in the twelfth, thirteenth, fourteenth and fifteenth lines, in the fourth section, of thirty-six Victoria, chapter forty-five, to wit: "The said company shall have power to issue bonds to the amount of three million dollars, the capital of the said company, and such bonds shall not be for less than five hundred dollars each," are struck out, and the following are substituted therefor:

"The said company shall have power to issue debentures to the amount of three hundred thousand pounds sterling, and such debentures shall not be for less than one hundred pounds sterling each; provided, however, that until forty-five miles of the said company's railway shall be complete and in running order, as certified by the government inspecting engineer, no more than one thousand of the said debentures of one hundred pounds sterling each, to be termed the first issue, shall be issued by the company; and as soon as such forty-five miles shall have been certified as complete and in running order, as aforesaid, then a further issue of one thousand bonds of one hundred pounds sterling each, to be termed the second issue, may be made by the company, and no more of such bonds shall be issued by the company until seventy-five miles of the said road, (inclusive of the aforesaid forty-five miles,) shall be complete and in running order as certified by the government inspecting engineer; and so soon as such seventy-five miles shall have been certified as completed and in running order as aforesaid, then the remaining one thousand bonds of one hundred pounds sterling each, to be termed the third issue, may be issued by the company, it being understood, however, and hereby declared, that such terms "first issue," "second issue," and "third issue," shall be for convenience only of this bill, and shall not be deemed to give any of the said issues priority one over another. Provided, further, that it shall be obligatory on the company, out of the proceeds of the above mentioned first issue of the debentures, or by exchange or otherwise, to redeem the whole of the bonds issued under the fourth section of thirty-six Victoria, chapter forty-five; and it shall not be lawful, notwithstanding any certificate given as in the present section mentioned, or otherwise, for the company to make a second issue of debentures until the whole of the said bonds issued under the said fourth section, thirty-six Victoria, chapter forty-five, shall have been redeemed and cancelled."

2. The whole of the debentures of one hundred pounds sterling each, which shall be issued from time to time by the company under the foregoing section of this act, shall

be redeemed by the company, at their par value, on or before the first day of January, of the year one thousand eight hundred and ninety-four.

CAP. XXIV.

An Act to amend the Act 32 Victoria, cap. 59, incorporating the Missisquoi Junction Railway Company, and also to amend the Act 25 Victoria, cap. 29, incorporating the Montreal, Chambly and Sorel Railway Company, and to authorize the amalgamation of the said Companies and for other purposes.

[Assented to 28th January, 1874.]

Preamble.

**W**HEREAS the Missisquoi Junction Railway Company, and the Montreal, Chambly and Sorel railway company, have prayed for amendments in the Act incorporating them in the respects hereinafter set forth, and for authority to enable them to amalgamate upon the terms and conditions hereinafter set forth, and it is expedient to grant their prayer; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Amalgamation of the two companies.

**I.** That for the purposes of better carrying on the construction and of facilitating the management of the said two railways, it is hereby enacted that the said companies shall be and they are hereby amalgamated, and shall hereafter continue and subsist as one corporation or body politic under the name "The Montreal, Chambly and Sorel Railway Company." which name shall be and subsist in lieu of those heretofore appertaining to the said companies; but such change of name shall not be construed in any way to abrogate or affect any of the rights which the said two companies respectively had or have as separate companies, nor in any way to affect any right or liability of either, or any suit, action or proceeding pending at the time when this act shall come into force, but the same shall continue as if this act had not been passed; but any new proceeding which may hereafter be adopted against either of the said two companies, shall be had by the name hereby assigned to the two companies; and such corporation by the name hereby assigned to it, shall continue to have all and every the rights, powers, privileges and authorities of every nature and description whatsoever, and without any exception or reserve, heretofore vested in, conferred on or given to the said two companies, or to either of them which they might respectively have lawfully exercised under their present

Corporate name.

Effect of the change of name.

Powers of the new company.

corporate names by virtue of any act of the legislature of this province, or otherwise howsoever, subject always to the provisions of this act, and shall be capable of exercising and enforcing either in its said corporate name or in that of whichever of the said present companies may be interested therein, each, all, and every the rights, powers, privileges and authorities which either of them could at the time of the passing of this act have exercised or enforced, or at any time thereafter may become entitled to exercise or enforce in its own name; and their real and personal estate of every description shall belong and be transferred to and continued in the said corporation under its said name; provided always, that the rights and remedy of all municipalities and creditors of every class and degree of either of the said two companies, shall continue to exist unimpaired and be in no way lessened, interfered with, or affected by this act, or anything herein contained, and all classes of bond-holders having mortgage on any real estate of either company shall continue to have unimpaired and be maintained in their several rights and privileges as though this act had never been passed; but in respect of any liability incurred for any torts, wrongs or other doings done by either company before this act shall come into effect, as contradistinguished from the separate obligations or debts contracted by either company, the property, assets and effects, whether real or personal, of such separate company existing and belonging to it at the time this act shall come into effect, shall alone be held bound, and shall be liable to be attached, seized and taken for the debt of said company.

2. For the management of the affairs of said corporation and in lieu of the present two boards of direction, there shall be one board of directors, to be composed of not less than five nor more than seven elected directors, in addition to the *ex-officio* directors; such elected directors, shall, in the first instance be elected at a special general meeting of the company, to be held in the city of Montreal, on the fourth Wednesday next after this act shall have been accepted by both of the said two companies, or so soon thereafter as may be found practicable; and until such first election shall have taken place, the elected directors of the two railway companies, in office at the time of such acceptance, shall be directors, and the *ex-officio* directors of each of the companies shall be *ex-officio* directors of the amalgamated companies.

3. The annual general meetings of the company shall be held hereafter in the city of Montreal, on the third Wednesday of January.

32 V., c. 59, s. 2, amended.

4. The second section of the said 32 Vict., cap. 59, is hereby amended by striking out of the seventh line all the words after the word "Dunham" in the seventh line of said section, to the words "province line" inclusive in the eleventh line of said section, and the following to be substituted in lieu thereof: "or to and through the township of Stanbridge and the Parish of St. Armand East, to the province line, passing via the villages of Riceburg, Stanbridge East and Fr. lighsburg, within one-half mile of the south-west corner of the township of Dunham."

Third s. of said act repealed.

5. The third section of the said act 32 Vict., cap. 59, is hereby repealed.

The sense of what act shall prevail.

6. Whenever as to any other matter affecting the conduct of the affairs of the company or the exercise of any of its rights, the existing charters of the said two companies vary in their terms, the sense of the charter of the Montreal, Chambly and Sorel railway company shall be followed as being that of the company and regulative of such matter, save and except the provision of the twentieth section of act 32 Vict., cap. 58.

Previous approval required.

7. The second and other preceding sections of this act shall not take effect, unless accepted and approved at a special general meeting of the shareholders of each of the said companies duly called and held for that purpose.

Power to issue bonds.

8. It shall be competent for the board of directors of the said amalgamated company, "The Montreal, Chambly and Sorel railway company," to issue second mortgage bonds or debentures, to an amount not exceeding eight thousand dollars per mile, for each mile of railway completed and

Rank of such bonds.

in operation. And such debentures shall constitute a second lien or privilege on the property, tolls and revenues, of the said company, and it shall be so expressed on their face.

Ferry across the St. Lawrence.

9. It shall also be lawful for the said amalgamated company to establish, work and maintain a ferry, or acquire from the St. Lambert's steam ferry company their ferry rights, across the St. Lawrence between St. Lambert and Montreal.

Certain subscriptions cancelled.

10. And it is hereby expressly enacted and declared that the subscriptions of stock heretofore taken in the said Missisquoi Junction railway company by Honorable A. B. Foster, James O'Halloren, H. S. Foster, Nathaniel Pettes, E. O. Brigham, Hon. Thomas Wood, Brown Chamberlin, J.

B. Gibson and any other inhabitant of the township or village of Dunham, shall be, and they are hereby cancelled and vacated, and they and each of them shall be considered as never having been made. And no action, either at law or in equity shall lie for the recovery of the same, in whole or in part, from any of the said parties, by the said Missisquoi Junction railway company, their successors or representatives.

11. This act and the acts hereby amended shall be held <sup>Interpretation.</sup> and construed as though forming one and the same act; and the expression, "the charter of the Montreal, Chambly and Sorel railway company," shall be a sufficient citation, <sup>Citation.</sup> as well of the said acts and of this act, as of the acts directly constitutive of the said Montreal, Chambly and Sorel railway company.

12. This act shall come into force immediately after its <sup>Coming into force of this act.</sup> sanction.

C A P . X X V .

An Act to amend the Act incorporating the Missisquoi and Black Rivers Valley Railway Company.

[Assented to 28th January, 1874.]

**W**HEREAS the Missisquoi and Black Rivers Valley <sup>Preamble.</sup> Railway Company have petitioned the legislature for certain amendments to their act of incorporation; and whereas it is expedient to grant the prayer of the said petitioners; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. The act of the legislature of this province, passed in <sup>34 Viet., ch. 26, amended.</sup> the session thereof holden in the thirty-fourth year of Her Majesty's reign, and intituled: "An Act to incorporate the Missisquoi and Black Rivers Valley Railway Company," is hereby amended, as follows:

2. The several delays of three years and ten years, which <sup>Extension of delays to complete works.</sup> are limited by "The Quebec Railway Act, 1869," for the commencement and completion respectively, of the railway of the said company, are hereby so extended as to count only from the passing of this act.

3. The company, if they see fit, may, in addition to the <sup>The co. may run their</sup> powers conferred upon them by their act of incorporation,



lay out, construct, and finish their railway, or any branch, or branches thereof, to any point on the provincial line in the township of Potton, passing through the township of Bolton, and within one-half mile of the village of Mansonville, so as to meet there the South-Eastern or any other line or lines of railway.

4. The company may, subject to the consent of any municipalities interested, adapt all or any of the bridges constructed for the purposes of their railway, to the passage of foot passengers, vehicles, horses or other animals; and may take, receive, and exact such rates of toll upon all horses, animals, vehicles, and foot passengers, on or over such bridge, so adapted for the passage thereof, as is allowed by this act, subject however to the approval of the lieutenant-governor in council.

5. So soon as the said company shall have obtained the consent of the municipal councils of the townships of Melbourne and Brompton, Gore and Cleveland, and of the village municipalities of Melbourne and Richmond, they may construct a railway bridge over the river St. Francis, adapted to the passage of horses and other animals, vehicles, and foot passengers, in virtue of the preceding section, and the same shall have been duly approved by the railway committee, the said company may demand, receive and exact, for their own use and benefit, of and from each person making use of the said bridge, as a toll for the passing thereof, sums not exceeding the following several rates, that is to say:

For every person on foot .....	\$0.01
For every two-wheeled vehicle drawn by one horse, ox, or other animal.....	0.04
For every four-wheeled vehicle drawn by one horse, ox, or other animal.....	0.04
For every four-wheeled vehicle, drawn by two horses, oxen, or other animals.....	\$0.05
For every additional horse, ox, or other animal..	0.02
For every horse and rider.....	0.02
For every horse, mule, cow, or head of cattle.....	0.02
For every sheep, calf, or pig.....	0.01

6. Any person who shall pass through the toll gates, or over, or upon, any of the bridges of the company so adapted as aforesaid, for the passage of foot-passengers, animals, and vehicles, without paying the toll which the company may be entitled to demand by virtue of this act, and against their consent, or who shall, at any time, drive faster than a walk,

on the said bridges, shall incur a penalty not exceeding five dollars, and in default of payment thereof, may be imprisoned for a period not exceeding ten days, in the common gaol of the district within which such offence has been committed.

7. The second section of the act hereinbefore, first recited thirty-four Victoria, chapter twenty-six, is hereby amended by striking out the words : " and Sutton," in the eleventh and twelfth lines of said section. 34 Vict., ch. 26, sec. 2, amended.

8. This act, and the act hereby amended, shall be held, and construed as though forming one and the same act. Interpretation.

9. This act shall come into force on the day when it shall be assented to by the lieutenant-governor of the province. Coming into force of this act.

#### CAP. XXVI.

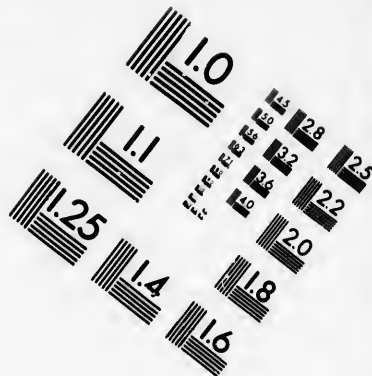
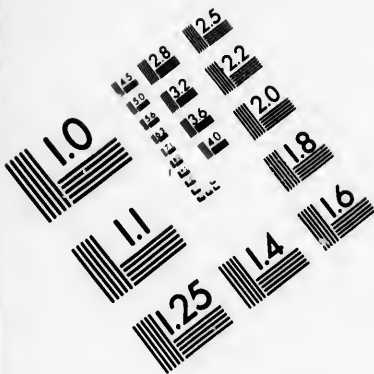
An Act to incorporate the Massawippi and Grand Trunk Junction Railway Company.

[Assented to 28th January, 1874.]

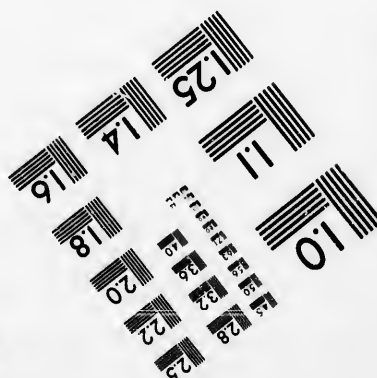
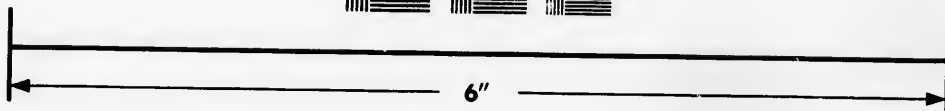
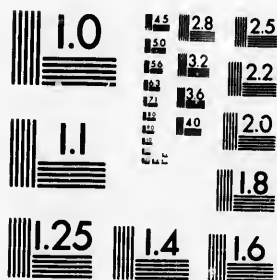
**W**HEREAS Ozro Morrill, Rufus P. Stewart, James H. Judd, Israël Wood, John B. Daly, Joseph L. Terrill, C. H. McClintock, N. Cheney, William H. Holmes, Stephen Foster, L. R. Robinson, Thomas Locke, J. W. Heath, J. P. Baldwin, and Samuel Goodhue, esquires, have petitioned that an act may be passed creating a company to be authorized to construct a railroad from some point on the line of the Massawippi Valley railway, in the county of Stanstead, to some point on the line of the Grand Trunk railway, in the said county : and it is expedient to grant their prayer ; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. Ozro Morrill, Rufus P. Stewart, James H. Judd, Israël Wood, John B. Daly, Joseph L. Terrill, C. H. McClintock, N. Cheney, William H. Holmes, Stephen Foster, L. R. Robinson, Thomas Locke, J. W. Heath, J. P. Baldwin, and Samuel Goodhue, esquires, with such other persons, corporations or municipalities as shall, under the provisions of this act, become shareholders in the company hereby incorporated, shall be, and are hereby ordained constituted and declared to be a body corporate and politic, by and under the name of "The Massawippi and Grand Trunk Junction Railway Company." Constitution of the corporation.





**IMAGE EVALUATION  
TEST TARGET (MT-3)**



**Photographic  
Sciences  
Corporation**

23 WEST MAIN STREET  
WEBSTER, N.Y. 14580  
(716) 872-4503



Power to  
build a rail-  
way.

2. The said company and their agents and servants shall have full power and authority, under this act, to lay out, construct, make and finish a double or single track iron railway, at their own costs and charges, of such width or gauge as the company see fit, from some point on the line of the Massawippi Valley railway, in the county of Stanstead, to some point on the line of the Grand Trunk railway, in said county of Stanstead; and the said company shall have power and authority to construct the different sections in such order as they see fit.

Capital.

3. The capital stock of the said company shall not exceed in the whole the sum of one million of dollars, to be divided into ten thousand shares of one hundred dollars each, which amount shall be raised by the persons herein-before named, and such other persons and corporations as may become shareholders in the said stock, and the money so raised shall be applied, in the first place, to the payment of all fees, expenses and disbursements for procuring the passing of this act, and for making the surveys, plans and estimates connected with the railway, and all the rest and remainder of such money shall be applied towards making, completing and maintaining the said railway, and other purposes of this act; provided always, that until the said preliminary expenses shall be paid out of the capital stock, it shall be lawful for the municipality of any county, city, town or township interested in the said railway or otherwise, to pay out of the funds of such municipality such preliminary expenses, which sums shall be refunded to such municipality from the stock of the said company, or be allowed in payment of stocks.

Payment of  
preliminary  
expenses.

Municipalities  
may pay these  
expenses.

Board of  
prov. direc-  
tors.

4. Ozro Morrill, Rufus P. Stewart, James H. Judd, Israël Wood, John B. Daly, Joseph L. Terrill, C. H. McClintock, N. Cheney, William H. Holmes, Stephen Foster, L. R. Robinson, Thomas Locke, J. W. Heath, J. P. Baldwin, and Samuel Goodhue, esquires, shall be and are hereby constituted a board of directors of the said company, and shall have power and authority to fill vacancies occurring there in, to associate with themselves therein, not more than five other persons who shall thereupon become and be directors of the company equal with themselves, and shall hold office as such until other directors shall be appointed, under the provisions of this act, by the shareholders, and shall have power and authority, immediately after the passing of this act, to open stock books and procure subscriptions for the undertaking, to make calls upon the subscribers, to cause surveys and plans to be made and executed, and, as hereafter

Their powers.

provided, to call a general meeting of shareholders for the election of directors.

5. The said directors are hereby empowered to take all <sup>Subscriptions.</sup> necessary steps for opening the stock books for the subscription of parties desirous of becoming shareholders in the said company, and all parties subscribing to the capital stock of the said company, shall be considered proprietors and partners in the same.

6. When and so soon as fifty thousand dollars shall have <sup>First election of directors.</sup> been subscribed, as aforesaid, and five thousand dollars paid in on account of such shares, it shall and may be lawful for the said directors, or a majority of them, to call a meeting of shareholders at such time and place as they shall think proper, giving at least two weeks' notice in one or more newspapers published in the counties through which the said railway shall pass, at which said general meeting, and at the annual general meetings in the following sections mentioned, the shareholders present, either in person or by proxy, shall elect nine directors in the manner and qualified as hereinafter provided, which said nine directors shall constitute a board of directors, and shall hold office until the first Wednesday in September in the year following their election.

7. On the said first Wednesday in September, and on the <sup>Subsequent elections.</sup> first Wednesday in September in each year thereafter at the principal office of the said company, there shall be holden a general meeting of the shareholders of the said company, at which meeting the said shareholders shall elect nine directors for the then ensuing year, in manner and qualified as hereinafter provided, and public notice of such annual general meeting and election shall be published one month <sup>Notice re-</sup> before the day of election, in one or more newspapers, published in the towns or counties along the line of railroad ; <sup>quired.</sup> and the elections for directors shall be by ballot, and the persons so elected, together with the *ex-officio* directors, under "The Quebec Railway Act, 1869," shall form the board of directors.

8. Five directors shall form a quorum for the transaction <sup>Quorum.</sup> of business, and the said board of directors may employ one <sup>Remuneration, and qualifications of directors.</sup> or more of their number as paid director or directors ; provided, however, that no person shall be elected a director unless he shall be the holder and owner of at least five shares of the stock of the said company, and shall have paid up all calls on the said stock.



One vote per share.

9. In the elections of directors under this act, and in the transaction of all business at general shareholders' meetings, each shareholder shall be entitled to as many votes as he holds shares upon which the calls have been paid up.

Calling in instalments.

10. It shall and may be lawful for the directors, at any time, to call upon the shareholders for instalments upon each share which they, or any of them, may hold in the capital stock of the said company, in such proportion as they may see fit; no such instalment shall exceed ten per cent, and one month's notice thereof shall be given, in such manner as the directors may appoint.

Deeds and conveyances.

11. All deeds and conveyances of lands to the said company, for the purposes of this act, in so far as circumstances will admit, may be in the form given in schedule A, to this act subjoined, or in any other form to the like effect, and for the purposes of due enregistration of the same, all registrars, in their respective counties, are required to be furnished by, and at the expense of the said company, with a book with copies of the form given in the said schedule A, one to be printed on each page, leaving the necessary blanks, to suit the circumstances of each separate conveyance, and shall, upon the production and proof of due execution of any such conveyance, enter the same without any memorial, and shall minute the enregistration or entry on the deed; and the registrar shall charge and receive from the said company, for all fees, on every such enregistration, fifty cents, and no more, and such enregistration shall be deemed to be valid in law; any statute or provision of law to the contrary notwithstanding.

Enregistration thereof.

Power to make &c., promissory notes and bills of exchange.

12. The said company shall have power and authority to become parties to promissory notes and bills of exchange, for sums not less than one hundred dollars, and any such promissory notes or bills of exchange made or endorsed by the president or vice-president of the company, and countersigned by the secretary and treasurer of the said company, and under the authority of a majority of a quorum of the directors, shall be binding on the said company; and every such promissory note or bill of exchange so made, shall be presumed to have been made with proper authority, until the contrary be shewn, and in no case shall it be necessary to have the seal of the said company affixed to such promissory note or bill of exchange, nor shall the said president, or vice-president, or the secretary and treasurer, be individually responsible for the same, unless the said promissory notes or bills of exchange have been

issued without the sanction and authority of the board of directors, as herein provided and enacted; provided, <sup>Proviso;</sup> however, that nothing in this section shall be construed to authorize the said company to issue notes or bill of exchange payable to bearer, or intended to be circulated as money, or as the notes or bills of a bank.

13. The directors of the said company shall have the <sup>Issue of bonds.</sup> power, upon being duly authorized thereto, by a vote of a majority of stockholders in the said company, present at any annual meeting in the month of September, or at any special meeting of the stockholders called for said purpose, to issue their bonds, made and signed by the president and vice-president of the said company, and countersigned by the secretary and treasurer, and under the seal of the said company, for the purpose of raising money for prosecuting the undertaking, and such bonds shall be and be considered <sup>Privilege and rank thereof.</sup> to be privileged claims upon the property of the said company, and shall bear hypothec upon the said railway without registration; provided, however, that no such bonds, <sup>Proviso:</sup> bearing such hypothec, shall be issued until after the said sum of fifty thousand dollars, as provided by this act, shall have been expended in and upon the said railway; and provided also, that the whole amount raised upon such bonds shall not exceed two hundred and fifty thousand dollars.

14. In case of refusal or neglect to pay the toll or freight <sup>Powers</sup> due to the said company on any goods, they shall have the <sup>respecting</sup> power to detain the same until payment of such freight <sup>freight of</sup> be <sup>goods not paid</sup> made, and in the meantime such goods shall be at the risk <sup>for.</sup> of the owners, and if such goods be of perishable nature, the said company shall have the right to sell the same forthwith, on the certificate of two competent persons establishing the fact of their being so perishable; and if such goods are not of a perishable nature, and shall remain unclaimed for twelve months, the company may, after giving one month's notice in two newspapers nearest the place where the goods may be, dispose of the same by public auction, and the proceeds of the sale, after paying the said freight and the costs of sale, shall be handed over to the owner, if he shall claim the same.

15. It shall be lawful for the said company to enter into <sup>Powers to</sup> any agreement with any other railway company, for leasing <sup>enter into</sup> the said railway, or any part thereof, or the use thereof, at <sup>any agree-</sup> any time or times, to such other company, or for leasing or <sup>ment with</sup> hiring from such other company any railway or any part <sup>other rail-</sup> thereof, or the use thereof, or for leasing or hiring any loco- <sup>way co.</sup>

motives, tenders or movable property, and generally to make any agreement or agreements with any such other company touching the use by one or the other or by both companies of the railroad or movable property of either or of both, or any part thereof, or touching any service to be rendered by the one company to the other, and the compensation therefor, and any such agreement shall be valid and binding, and shall be enforced by courts of law, according to the terms and tenor thereof.

Other arrangements.

16. The directors of the said company elected by the shareholders, in accordance with the provisions of this act shall have power and authority to enter into and conclude any arrangements with any other chartered railway company, for the purpose of making any branch or branches to facilitate a connection between this company and such other chartered railway company, and shall have full power and authority to negotiate with any company having the chartered right of constructing a bridge across the St. Lawrence river, at or near the city of Montreal, for the right of using the said bridge for the purposes of the railway, and the advantage and benefit of the company hereby incorporated.

Powers of appropriation.

17. It shall and may be lawful for the said company to take and appropriate, for the use of the said railway, but not to alienate, any wild lands of the Crown along the line of the said railway which may be necessary for the said railway, with the consent of the lieutenant-governor in council, and also so much of the land covered with the waters of any river, stream, lake or canal, as may be necessary for the works of the said railway; provided, that if the said railway shall cross any navigable river or canal, it shall not be lawful for the said company to obstruct the navigation of such river or the use of such canal.

Proviso:

## SCHEDULE A.

### FROM OF DEED OF SALE.

Know all men by these presents, that I, A. B., of do hereby, in consideration of                      paid to me by the Massawippi and Grand Trunk Junction Railway Company, the receipt whereof is hereby acknowledged, do grant, bargain, sell and convey unto the said Massawippi and Grand Trunk Junction Railway Company, their successors and assigns, all that tract, or parcel of land, (*describe the land,*)

generally to  
or such other  
or by both  
of either or  
service to be  
and the com-  
shall be valid  
law, accord-

the same having been selected and laid out by the said  
company for the purposes of their railway, to have and to  
hold the said land and premises unto the said company,  
their successors and assigns for ever.

Witness my hand and seal, this \_\_\_\_\_ day  
of \_\_\_\_\_, one thousand eight hundred and  
seventy

Signed, sealed, and delivered  
in presence of

A. B.

L. S.

CAP. XXVII.

An Act to amend the Act incorporating the Waterloo and  
Magog Railway Company.

[Assented to 28th January, 1874.]

**W**HEREAS the president and directors of the Water-  
loo and Magog railway company have, by petition, Preamble.  
prayed that their act of incorporation be amended; and  
whereas it is expedient to grant the prayer of the said  
petition; Her Majesty, by and with the advice and consent  
of the legislature of Quebec, enacts as follows:

**1** The Waterloo and Magog railway company shall have Company may  
power and authority to purchase, hold, and take the lands, acquire prop-  
buildings road-bed, and generally all the movable and im- erty of other  
movable estate, rights and property, whether legal or equit- companies.  
able, or any part thereof, which are used or intended for  
railway purposes, belonging to any railway company  
or companies, or other corporation or corporations, having  
railway powers in this province, or belonging to any  
foreign railroad company or companies, or the trustees  
and managers thereof, the property of which company or  
companies, corporation or corporations, or persons, lies  
between the limits or termini defined in the charter of the  
said Waterloo and Magog railway company, or is conter-  
minal therewith; and shall also have power and authority  
to amalgamate with such other company or companies,  
corporation or corporations, upon such terms as the share-  
holders of the Waterloo and Magog railway company may Other comp-  
approve; and such companies, corporations, or persons nies have pow-  
shall have power to sell their railway, movable and im- er to sell to  
movable property, rights and estate to the Waterloo and Waterloo and  
Magog railway company, and any such sale or agreement Magog com-  
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shall be valid and shall be enforced by courts of law, according to the terms and tenor thereof.

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C A P. XXVIII.

An Act to amend the Act of incorporation of the Montreal and Laurentian Colonization Railway Company.

[Assented to 28th January, 1874.]

Preamble.

**W**HEREAS the Montreal and Laurentian Colonization Railway Company, has represented, by petition, that it was necessary to make certain amendments to their charter; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Power to make a branch line.

**1.** The said company is authorised and empowered to construct a line of railway from the village or parish of St. Jérôme, or from the village of Ste. Thérèse de Blainville, or from Porteous Crossing on the *rivière Jésus*, in the county of Terrebonne, to the parish of St. Lin, in the county of l'Assomption.

Change of name of the Company.

**2.** The name of the said company shall be hereafter the "*Laurentian Railway Company*"

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C A P. XXX.

An Act to amend the Act incorporating the Montreal City Passenger Railway Company.

[Assented to 28th January, 1874.]

Preamble.

**W**HEREAS the Montreal city passenger railway company has petitioned the legislature for certain amendments to its act of incorporation; and whereas it is expedient to grant the same; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Increase of capital.

**1.** The said company is hereby authorized to increase its capital stock to the extent of seven hundred thousand dollars above and beyond its present capital, making its capital to consist of thirteen hundred thousand dollars, and

of law, ac-

such issue of new stock may be made in such manner and upon such terms and conditions as the said company may fix and determine by by-law.

e Montreal ny.

2. The said company is hereby authorized and empowered, in addition to the powers already possessed by it to own and run for hire, within the limits of the city and district of Montreal, omnibuses and other vehicles being of the nature of a public conveyance. Power to own and run omnibuses, &c.

ry, 1874.]

The said omnibuses, as well as the said passenger railway; shall be subject, however, to such regulations as the council of the said city, and the councils of the municipalities in the limits of which the said omnibuses and the said passenger railway cars may run, or the trustees of the Montreal turnpike roads, may enact and impose by a vote of the majority of the whole number of the members of the said councils; provided that such regulations do not in any way affect the existing contracts between the said company and the corporation of the said city; and the said corporation of the city of Montreal and the said municipalities are hereby authorized to make regulations and by-laws to that effect. Subject to regulations of municipalities or trustees. Proviso.

olonization y petition, nts to their the advice nacts as fol-

powered to or parish of Blainville, sus, in the n the county

CAP. II.

An Act to provide for the granting of an additional subsidy to certain Railway Companies, and for other purposes.

[Assented to 23rd February, 1875.]

ereafter the

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

ntreal City

F. The Lieutenant-Governor in Council may grant an additional subsidy of fifteen hundred dollars per mile, to the following railway companies: Additional subsidy to certain roads.

y, 1874.]

1. The Quebec and Lake St. John railway, for a length not exceeding 150 miles ;
2. The St. Francis and Megantic International railway, for a length not exceeding 80 miles ;
3. The Bay of Chaleurs railway, for a length not exceeding 180 miles ;
4. The Levis and Kennebec railway, for a length not exceeding 90 miles ;
5. The Sherbrooke, Eastern Townships and Kennebec railway, hereafter known as the "Quebec Central Railway Company," for a length not exceeding 100 miles ;

lway com- ain amend- it is expe- ty, by and of Quebec,

increase its usand dol- ing its ca- llars, and

6. The Philipsburg, Farnham and Yamaska railway, for a length not exceeding 190 miles ;

7. The Montreal Northern Colonization railway, (for the portion of the branch line beyond St. Jérôme,) for a length not exceeding 18 miles.

How the same may be payable.

2. The subsidy mentioned in the preceding section, shall be paid in the same manner as the provincial aid granted by "The Quebec railway aid act of 1874," with the exception that the same may be payable for each ten miles or more of road completed, continuous and uninterrupted.

Lands reunited to the Crown Domain.

3. The lands granted to the St. Francis and Megantic International railway company by the act of this province, 35 Vict., ch. 28, and those granted to the Quebec and Lake St. John Railway Company, by the act of this province, 35 Vict., chap. 38, are declared to be reunited to the crown domain, in consequence of the abandonment thereof made by these companies, and of their option in favor of a money grant, under the authority of "The Quebec railway aid act of 1874."

Subsidy of 1874 continued to certain companies till 1876.

4. The Quebec Frontier railway company, and the Missisquoi and Black Rivers Valley railway company, which have the right to a subsidy in money under "The Quebec railway aid act of 1874," shall continue to have the right to that subsidy till the first of February, 1876 ; provided that, at this date, not less than ten miles of road continuous and non-interrupted, with iron or steel rails, shall have been made and completed by those companies. The payment of such subsidy may be made for each ten miles or more of road thus finished and completed.

How the subsidy of 1874 shall be paid.

5. The railway companies which have the right under "The Quebec railway aid act of 1874," to a subsidy, only after having made and completed twenty-five miles of road continuous and non-interrupted, shall have the right to such subsidy for each ten or more miles of road thus made and completed, among which is included the Montreal and Laurentian Colonization Railway not exceeding 15 miles.

New road.

\$75 per mile on account.

6. Notwithstanding any provision to the contrary, any company which is entitled to a subsidy under the present act, or of "The Quebec railway aid act of 1874," shall have the right to receive, on account of the subsidy thus granted a sum of seventy-five dollars per mile, to assist such company to locate its road, but only after the surveys, plans and profiles of such road shall have been deposited in the department of agriculture and public works.



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surveys,  
deposited  
s.

7. Whereas it is of the greatest importance for this province to secure the junction of the Pacific railway with the railways of the north shores of the St. Lawrence and Ottawa rivers, the lieutenant-governor in council may grant a sum of thirty thousand dollars, to assist in the construction of the bridge which shall unite, in the county of Pontiac, the railways of the north shores of the St. Lawrence and Ottawa rivers, to the Pacific railway.

Subsidy of \$30,000 to the junction bridge in Pontiac.

8. The present act shall be known, and may be cited under the name of "The Railway subsidiary act of 1875."

9. This act shall enter into force on the day of its sanction.

Coming into force.

C A P. X L.

An Act to further amend The Quebec Railway Act, 1869, (82 V., c. 51.)

[Assented to 23rd February, 1875.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. Section 11 of "The Quebec Railway Act, 1869," 32 Vict., ch. 51, is amended by substituting for the words "at farm crossings," in the seventh line, the following words, "and farm crossings."

By whom farm crossings are made and maintained.

2. Farm crossings shall be made and maintained by the company, upon the application of any owner of land, present or future, on each such land.

3. Paragraph five of section 14, of the same act is amended by adding to it the following words ; "However if the number of shareholders does not exceed fifty, and if they all reside within the Dominion, such meetings, besides the manner prescribed by special act, may be convened by a registered letter, postage paid, and deposited in the post office, at least fifteen days before that of the meeting."

Meetings convened.

4. The provisions of this act shall form part of "the Quebec Railway Act, 1869," and shall apply to all railway companies already in operation, and to which the act amended by the present act applies.

Interpretation.

## C A P . X L I .

An Act to further amend The Quebec Railway Act, 32 Vict., chap. 51, and for other purposes.

[Assented to 23th February, 1875.]

**H**ER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

V., c. 51, s.  
18, amended.

Uolled sub-  
scription of  
a village and  
of a parish.

Proviso :

Rights of the  
director.

1. The eighteenth section of the act of this province, 32 Vict., chap. 51, is amended by adding to sub-section two, the following words, "but when in a parish comprising a parish municipality and a village municipality, the councils of both municipalities shall have agreed as to the subscription of shares to a railway company, which entitles to a representation on the board of direction of such company, the mayor of each such two municipalities shall alternately be a director *ex-officio* in such company, each for one year commencing and changing on the first of January of each year, and to be commenced by the mayor of the parish municipality ; provided that the amount of stock or shares thus owned by each of the two municipalities, be at least ten thousand dollars."

2. Any such director shall have the same rights as directors of municipalities which have subscribed to twenty thousand dollars of shares.

## C A P . X L I I .

An Act to amend the Act 35th Vict., Cap. 27, intituled : "An Act to incorporate the Point Levis and Indian Cove Junction Railway Company."

[Assented to 23rd February, 1875.]

Preamble.

**W**HEREAS the Point Levis and Indian Cove Junction Railway Company has petitioned the legislature for an amendment to its act of corporation, and whereas it is expedient to grant the prayer of the said petition ; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

35 V., c. 27 s.  
26, repealed.

1. Section sixteen of the act of this province, thirty-fifth Victoria, chapter twenty-seven, is repealed.

2. The powers conferred by the said act thirty-fifth Victoria, chapter twenty-seven, upon the "Point Levis and Indian Cove Junction Railway Company" are hereby continued, and will only cease if the works of the said company are not commenced within three years from the passing of this act, or if they are not finished and put in operation within six years from the passing of this act.

Powers conferred by act 35 V., c. 27, continued.

CAP. XLIII

An Act to further amend the Act assented to the twenty-fourth of December, 1870, intituled: An Act to incorporate the Missisquoi and Black Rivers Valley Railway Company.

{Assented to 23rd February, 1875.}

WHEREAS the Missisquoi and Black Rivers Valley Railway Company have petitioned that their Act of incorporation be further amended in the particulars hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition; Therefore, Her Majesty, by and with the advice and consent of the Legislature of the province of Quebec, enacts as follows:

Preamble.

1. The words in the 26th line of the 13th section of the 34th Victoria, chapter 26th to wit, "and provided also that the whole" to the end of the section, are struck out.

Debentures.

2. The debentures which the said company are empowered under the said act of incorporation to issue shall be fifteen hundred pounds (£1500) sterling debentures, and shall be to an amount not exceeding one hundred and fifty thousand pounds (£150,000) sterling, and such debentures shall be for one hundred pounds (£100) sterling each, provided however that no issue of such debentures shall be made until a length of twenty-five (25) miles of the said company's railway shall be in all respects, complete and ready for traffic, with the exception of laying the permanent rails on the same, and so soon as such length of twenty-five (25) miles of the said company's railway shall have been completed with the exception of the laying of the permanent rails as aforesaid, the said company may issue seven hundred and fifty (750) of the said debentures to be termed the first issue, and no further issue of such debentures shall be made until the said length of twenty-five (25) miles shall be opened for public traffic, and

a further length of twenty-five (25) miles shall be in all respects complete and ready for traffic with the exception of laying the permanent rails on the same, and so soon as such further length of twenty-five (25) miles shall have been completed with the exception of the laying of the permanent rails as aforesaid, then the said company may issue further seven hundred and fifty (750) of the said debentures, to an amount not exceeding seventy-five thousand pounds (£75,000) sterling, to be termed the second issue, it being understood however and hereby declared that such terms "first issue" and "second issue" shall be for convenience only, and shall not be deemed to give either of the said issues priority one over the other.

Debentures redeemed.

3. The whole of the Debentures of one hundred pounds (£100) sterling each, which shall be issued from time to time by the said company under the foregoing section of this act, shall be redeemed by the company at their par value, on or before the first day of January, one thousand eight hundred and ninety-five.

Interpretation.

4. This act and the act hereby amended, shall be held and construed as though forming one and the same act.

Coming into force of this act.

5. This act shall come into force on the day when it shall be assented to.

#### CAP. XLIV.

An Act to amend the Act incorporating the Laurentian Railway Company, (36 Vict., ch. 44.)

[Assented to 23rd February, 1875.]

Preamble.

**W**HEREAS the Laurentian Railway Company have, by petition, prayed that their act of incorporation be amended; and whereas it is expedient that the prayer of the said petition be granted; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Road continued.

1. The Laurentian Railway Company are authorized to extend and continue their line of railway from St. Lin to the town of Joliette and St. Gabriel of Brandon.

Idem.

2. It shall be lawful for the said company, in the event of the Montreal Northern Colonization Railway Company refusing them the means of amalgamation, to cross the

rivers Jesus and des Prairies, and to continue its road from Ste Thérèse de Blainville to Montreal, terminus of its road according to its original charter.

CAP. XLV.

An Act to amend the Act incorporating "The Sherbrooke, Eastern Townships and Kennebec Railway Company," (32 Vict., c. 57.)

(Assented to 23rd February, 1875.)

**W**HEREAS the Sherbrooke, Eastern Townships and Kennebec Railway Company has prayed for further amendments to the act of incorporation thereof and whereas it is expedient to accede to its demands; Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. The Sherbrooke, Eastern Townships and Kennebec Railway Company shall be hereafter known and designated as the "Quebec Central Railway Company," and under such name it shall be subject to all the obligations and shall exercise all the powers, rights, privileges, actions and claims, which it now has or which it may hereafter have, in the same manner as if the name thereof had not been changed.

2. Such company shall have also the right to continue their road from the end of their completed work in the township of Weedon, to the St. Lawrence river, in the town of Levis, following the most feasible and convenient route *à travers* the counties of Mégantic and Lotbinière, in such way as to be at as nearly equal distances from the Grand Trunk and the Levis and Kennebec Railways, as possible.

3. This act and the act of this province, 32 Vict., ch. 57, shall be read and interpreted as forming one and the same act.

4. The expression "the act of incorporation of the Quebec Central Railway Company," shall include the said act, 32 Vict., ch. 57, the act also of this province, 36 Vict., ch. 47, and the present act, and shall be a sufficient citation of each and all such acts.

5. This act shall come into force the day of the sanction thereof.

## CAP. XLVI.

An Act to amend the Acts relating to the Quebec and Gosford Railway Company, now to be known as "the Quebec and Lake Saint John Railway Company."

[Assented to 23rd February, 1875.]

Preamble.

**W**HEREAS on the second day of April, one thousand eight hundred and seventy-two, at a meeting of the shareholders of the Quebec and Gosford Railway Company, held at the city of Quebec, after the notice required for calling any special general meeting of the company; the object of the meeting having been specially set forth in such notice, the following acts of the legislature of this province were accepted by a vote of the shareholders of the said company, representing more than two-thirds of the shares, present in person or by proxy at such meeting, that is to say, the act passed in the thirty-fourth year of Her Majesty's reign, chapter twenty-four, intituled: "An Act to authorize the Quebec and Gosford Railway Company, to prolong their railway to Lake Saint John," and the act passed in the thirty-fifth year of Her Majesty's reign, chapter twenty-four, intituled: "An Act to amend the charter of the Quebec and Gosford Railway Company"; and whereas the Quebec and Lake Saint John Railway Company, as the said company is accordingly to be called in virtue of the provision to that effect contained in section one of the said first mentioned act, have, by their petition, prayed that further time may be granted to them for the commencement and completion and putting into operation of the extension of their railway to Lake Saint John, and that they may be authorized by law to extend their said railway through certain wards of the city of Quebec, and also to make and construct a branch railway, and that additional powers may be granted to them, and that the acts relating to the company may be amended in the above and other particulars, and for other provisions in their favor; and whereas it is expedient that the prayer of the said petition should be granted; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Time for commencing the continuation of the road.

I. The time for the commencement of the building of the portion of the railway of the said company, hereinafter called "The Company," between Gosford and Lake Saint John, is hereby extended to the first day of May, one thousand eight hundred and seventy-eight, for all the purposes

of the acts thirty-fourth Victoria, chapter twenty-four, and thirty-fifth Victoria, chapter twenty-four.

2. The time for the completion of the building and for the putting into operation of the portion of the railway of the company between Gosford and Lake Saint John, hereby extended to the thirty-first day of December, one thousand eight hundred and eighty-five, for all the purposes of the acts thirty-fourth Victoria, chapter twenty-four.

3. The company, and their agents and servants, and other persons in their employ, may extend and further lay out, construct and work the railway authorized to be laid out, constructed and worked by them from the present terminus of the said railway, on or near the western boundary of the city of Quebec, through any part of Jacques Cartier, Saint Roch and Saint Peter's wards of the said city, to the limits on the river Saint Lawrence of Saint Peter's ward aforesaid; and, subject to the provisions of the twelfth section of the act of incorporation of the company, as amended by the sixth section of the act first cited in the preamble of this act, and also to the provisions contained in the sixty-third, sixty-fourth and other sections of the Quebec Railway Act, 1869, the company may run cars drawn by locomotives or railway engines propelled by steam over any part of its line within the limits of the said city, or of any municipality between the said city of Quebec and Lake Saint John.

4. The company, and their agents and servants, and other persons in their employ, may lay out, make, construct and work, and may manage, a branch railway from any station of their railway to any point on the river St. Maurice at or near the place called *La Tuque*, and for those purposes or any of them, may use and exercise all the powers, privileges and authorities conferred upon and enjoyed by them with reference to their railway from Quebec to Lake Saint-John; provided always, that the sanction of the lieutenant-governor in council be first obtained for the construction of such branch.

5. The capital stock of the company shall not exceed in the whole (unless increased under the provisions of sub-section eighteen, of section seven of the Quebec Railway Act, 1869,) five million dollars, including the amount already raised by receipt of payment of calls on subscriptions to the stock of the company, and shall continue to be raised by the persons named in the act of incorporation, and



Use of the  
money raised.

34 V., c. 24., s.  
3, as amended,  
repealed.

their heirs and assigns,, and such other persons and such corporations and municipalities as have become, or may become holders of shares in the company by subscribing to the stock thereof; and all money so raised after the coming into force of this act shall be applied in the first place to the payment of all fees, expenses and disbursements for procuring the passing of this act, and of the acts cited in the preamble of this act, and for making the surveys, plans and estimates connected with the extensions and branch of the said railway thereby and hereby authorized; and all the rest and residue of such money shall be applied towards making, completing, maintaining and working the whole of the railway of the company and other the purposes of the said acts herein before referred to and of this act; and section three of the act thirty-fourth Victoria chapter twenty-four, as amended by section seven of the act thirty-fifth Victoria, chapter twenty-four, is hereby repealed.

Shares.

Original  
shares.

6. The said capital stock of the company shall be divided into fifty thousand shares of one hundred dollars, each of which shall be reckoned as ten shares in construing the ninth section of the act of incorporation of the company; and every share of ten dollars in the original capital stock of the company shall, from and after the coming into force of this act, except in construing the said section, be held and deemed to be one-tenth of such a share of one hundred dollars; and notwithstanding anything to the contrary contained in the Quebec Railway Act, 1869, transfers of such tenths of shares shall be valid, and dividends of the clear profits of the undertaking may be at and after so much per tenth of a share upon the several shares and tenths of shares held by the shareholders in the capital stock of the company.

Certificate of  
paid up shares  
in the stock.

1. The board of directors of the company may, if they see fit, cause a certificate of one share of one hundred dollars in the capital stock of the company to be given in exchange for any and every ten certificates of one share of ten dollars each (now a tenth of a share each,) in the said capital stock on which all calls have been paid in full, *bonâ fide* held and standing in the books of the company in the name of one and the same person, or for any and every certificate of ten such shares (now ten tenths of such a share,) on which all calls have been paid in full, held and standing in the books of the company in the name of any person, and may, at any time within one year, from any after the passing of this act, allow certificates of paid up shares of ten dollars each (now tenths of shares each,) in such stock to be taken at par, in payment, or in part pay-

ment of calls or instalments on shares of one hundred dollars each in the same.

2. A record shall be kept of all tenths of shares taken under this section ; and the same shall forthwith be cancelled ; and the amount thereof shall thereupon cease to be computed in the amount of the capital stock of the company.

7. All proprietors of bonds of the company shall have the same right of being present and of voting at meetings of the company as proprietors of shares in the capital stock of the company as hereinafter mentioned and provided for ; and all rules as to the requisite proportion of the votes of shareholders in the company at any such meeting shall be interpreted as applying to the total number of votes given thereat by shareholders and proprietors of bonds or bondholders.

8. No vote tendered at any meeting, in person or by proxy, in respect of any bond, shall be received unless such bond shall have been registered at least seven days prior to such meeting, at the principal office of the company, in the name of the person or persons by whom or by proxy for whom such vote is tendered ; and for carrying this enactment into effect bonds shall be registered at the principal office of the company in the name of the bearer, or in any name or names registered by the bearer ; but no such registration shall in any way affect the right to receive any principal money or interest secured by any such bond.

9. Any holder of a bond of the company, whether resident in this province or elsewhere, may vote by proxy at any meeting of the company if he sees fit, provided that such proxy produce an appointment from his constituent *mutatis mutandis* in the same words and to the same effect, and in the same form, or as near thereto as may be, as that provided for a shareholder by sub-section seven, of section fourteen of The Quebec Railway Act, 1869 ; and no person shall be entitled to vote as a proxy for any shareholder or bondholder unless the instrument appointing him such proxy has been transmitted to or lodged with the secretary-treasurer of the company not less than seven days before the time appointed for holding the meeting at which such proxy is to be used.

10. Section ten of the act passed in the thirty-second year of Her Majesty's reign, chapter fifty-three, is hereby repealed, and from and after the coming into force of this act, in all elections of directors of the company, and in the transaction

Election of  
directors.

of all business at the general meetings of shareholders of the company, each shareholder shall be entitled to one vote for each one hundred dollars of stock held by him upon which at least ten per cent shall have been paid up, and upon which all other and subsequent calls shall also have been paid up; and each proprietor of a bond or bonds of the company shall be entitled to one vote for each one hundred dollars of bonds held and owned by him, subject to the provisions of this act as to the registration of bonds and as to the appointment of proxies.

32 V., c. 53,  
s. 11, repeal-  
ed.

11. Section eleven of the act passed in the thirty-second year of Her Majesty's reign, chapter fifty-three, is hereby repealed, and not more than twenty dollars per share shall be called for, to be paid at any one time, nor shall any call be made payable at any less interval than two months from the day on which the last previous call was made payable.

Transfer or  
amalgama-  
tion.

12. The company are hereby authorized and empowered to contract and agree with any person or persons, or with any joint stock company that may be registered for the purpose in the city of London, in England, or elsewhere, under any act of the Parliament of the United Kingdom, for the purchase, transfer and amalgamation of their line of railway and undertaking, with the appurtenances and the privileges thereto belonging, or in any manner or way appertaining, upon such terms and conditions, and with such restrictions as the company may deem expedient.

Lease, &c., of  
the road, &c.

13. The company may make agreements with any other railway company incorporated or to be incorporated by competent legislative authority, either of the late province of Canada, or of the province of Quebec, or with any person or persons, for leasing the said railway, or any part or section or branch thereof, or the use thereof, or any locomotive, tender, car or other rolling stock or movable property, or the use thereof, at any time or times, and for any period, or for leasing or hiring from any such other company, any railway, or any part or branch thereof, or the use thereof, or any locomotive, tender, car or other rolling stock or movable property, at any time or times and for any period, and generally to make any agreement or agreements with any such other company touching the use by one or other, or by both companies, of the railway or rolling stock or movable property of either or both, or any part thereof, or touching any service to be rendered by the one company to the other, and the compensation therefor; and any such lease, agreement or arrangement shall be valid and binding, and may be enforced by all

courts of law or equity according to the tenor and effect thereof.

14. The board of directors of the company may have office in their principal office in the city of London, in England, London, and may depute one or more of their number resident in Canada, to be managing and paid director or directors of the company in Canada, and he or they shall have such power as may be vested in him or them by the board of directors; and the managing director or managing directors for the time being, resident in the province of Quebec, may be represented at the meeting of the board in London, by any other member or members thereof, under proxy to that effect, who may exercise, on behalf of such managing director or managing directors, all the rights, powers and privileges of a director or of directors at such meetings of such board.

*Delegates ; their powers.*  
*Managing director shall be represented therein.*

15. Whereas the council of the city of Quebec herein after called "The City," has, by resolutions, copies of which are contained in the schedules to this act, expressed its willingness that the contribution of the corporation of the city to the capital stock of the company should be largely increased in the event of such investment of the public funds of the city being sanctioned, and a proportionate special increase of such funds being provided for by this legislature; and whereas it is expedient that such investment should be sanctioned, and that such increase of such funds should be provided for; therefore, the corporation of the city is hereby authorized to subscribe by by-law for any number of shares not exceeding four thousand five hundred in the capital stock of the company, in addition to the one thousand tenths of shares, equal to one hundred shares therein, which the city already holds; such shares not to be subject to calls, but to be paid for by instalments, from time to time, as may be agreed upon between the said corporations, by deed before a public notary, executed before or at the time of the acceptance by the company of the subscription of the city to its capital stock; which by-law shall not come into force until it shall have been approved by the vote of the municipal electors of the said city, authorized to vote for the election of aldermen; such vote to be taken in the manner provided by law for such election of aldermen; and so soon as conveniently can be, after the passing of said by-law. And notice by the city clerk, or his assistant, of the intended taking of such vote, published in one French, and in one English newspaper of said city, for at least fifteen days preceding the taking of such vote, shall be given, and said city clerk and his assis-

*Subscriber authorized of the city of Quebec.*  
*Approval of the electors.*

Sanction of  
the lieutenant-governor in  
council.

tant are hereby empowered and directed to give and publish such notice, and said by-law, when so adopted and approved as aforesaid, shall be subject to the sanction of the lieutenant-governor in council, who shall satisfy himself that the said city of Quebec has a right to incur an indebtedness to the amount mentioned in said by-law.

Bonds of the  
city to be issued.

16. And therefore the corporation of the city is hereby authorized, from time to time, to issue bonds or debentures signed by the mayor and by the treasurer of the city, and sealed with the corporate seal of the city, to such amount as may be required for the purpose of raising the means of paying up in full instalments falling due upon the shares in the capital stock of the company subscribed for by the city under this act; such bonds or debentures to be redeemable within a period not exceeding thirty years from the dates thereof respectively, and bearing interest, at a rate or rates not exceeding seven per cent per annum, payable half-yearly; and such bonds or debentures may be severally for any sums, either in currency or in sterling, not less than five hundred dollars.

Sinking fund.

17. Towards securing the redemption of such bonds or debentures by the payment of the principal moneys for which the same shall be issued respectively, at the maturity thereof respectively, the treasurer of the city, for the time being, shall annually, so soon and so long as any such bonds or debentures have been issued and are outstanding, on or before the thirtieth day of April, set apart from and out of the special fund hereinafter provided for, and failing that from and out of any moneys in his hands forming part of the revenues and funds of the city, and not specially appropriated to any other purpose by any law enacted before the coming in force of this act, a sum equal to one per cent on the amount of all such bonds or debentures then outstanding; and all sums so set apart by any such treasurer shall, by such treasurer and his successors in office, be kept apart for the purpose aforesaid, and shall, together with the accumulations thereof and of interest thereon, form a sinking fund for such purpose; and such sinking fund shall, from time to time, be invested by the treasurer of the city in stock or bonds of the dominion of Canada, or of the province of Quebec, and not otherwise; and full, true and particular accounts of the investment and management, and of the actual state and amount of such sinking fund; shall be rendered annually by the treasurer to the city council and published annually in at least one newspaper in each of the English and French languages in the city.

18. Towards meeting the amounts payable for interest and sinking fund on bonds or debentures issued by the corporation of the city under this act, the said corporation is hereby authorized, so soon as any such bonds or debentures have been issued, and so long as any such bonds or debentures are outstanding, to impose and levy in each and every year upon the whole of the then and assessable real property in the city, a special rate of so many cents in the dollar as it may by the council of the city be deemed necessary to impose and levy in order to insure the full payment of interest and sinking fund for such year, on the amount of all such bonds or debentures outstanding at the commencement of such year, together with interest, if any, for portions of the year previous and sinking fund on the amounts of any such bonds or debentures issued during that year; such rate to be paid in equal proportions by proprietors and tenants, where there are tenants, and by proprietors only, and in full, where there are no tenants, but subject to the same provisions of law as are contained in sub-sections one and two of section fourteen of the act of the legislature of Quebec, passed in the thirty-third year of Her Majesty's reign, chapter forty-six.

Special tax on  
real estate.

Proviso 1

19. The rate provided for in the next preceding section of this act shall be imposed at any time that it shall be so ordered by the council of the city, by being entered by the assessors of the city, or by one or more of them, in a separate book, to be called "Quebec and Lake Saint John Railway interest and sinking fund book,"—or in a separate column, with a like heading, in each of the assessment books of the city for the year, in the like manner as the other assessments on real property in the city, and shall be levied by the same process and in the same way, without any other formalities; and the said rate shall be imposed on the annual assessed value of each and every real property within the city, which said value shall be estimated according to that set upon such real property in the assessment books of the said city for the then current years, when the said rate shall be imposed.

Collection.

20. Every sum received by the city by way of dividend on its shares in the capital stock of the company, at any time when any bonds or debentures issued under this act are outstanding, shall be applied in aid of the proceeds of the special rate on real property in the city imposed under this act, towards the payment of the interest on such bonds or debentures, or may be added to the sinking fund for their redemption, or may be added to and merged in the general funds of the city, as the council of the city may

Use of the  
dividends.



deem most advisable under the provisions of the next two following sections of this act.

Case of amounts levied and dividends received not being sufficient.

**21.** In case in any year the amount levied by special rate on real property in the city, under the provisions of this act, together with the amount, if any, received by the city within the year by way of dividend on its shares in the capital stock of the company, is not sufficient for the payments to be made in such year on account of interest and sinking fund on the bonds or debentures of the city, issued under the provisions of this act then outstanding, the treasurer of the city shall complete the payments of such interest, and of such amount on account of sinking fund, out of any moneys of the city in his hands not specially appropriated to any other purpose by any law enacted previously to the coming into force of this act.

Case of a surplus.

**22.** In case in any year the amount levied by special rate on real property in the city under the provisions of this act, together with the amount, if any, received by the city within the year by way of dividend on its shares in the capital stock of the company, is more than sufficient for the payments to be made in such year, on account of interest and sinking fund on the bonds or debentures of the city issued under the provisions of this act, then outstanding, the treasurer of the city shall add to and merge in the general fund thereof so much, if any, of the excess as may be necessary, or the whole thereof, if necessary, to reimburse or towards reimbursing such general fund for any such payment on account of interest or sinking fund then previously paid out of it, and not already reimbursed to it; and in case no part, or only a part of such excess is required to be so applied, then such excess, or the surplus or balance of such excess that may remain after the making of such reimbursement, as the case may be, shall, by the said treasurer, be carried to the credit of and kept apart for and in due time applied to or towards the making of the payments to be made during the then next year on account of such interest and sinking fund, or be added to the sinking fund created under the provisions of this act, as the council of the city may deem to be most expedient and may resolve.

Annual general meeting.

**23.** From and after the coming into force of this act, the annual general meeting of the shareholders of the company shall be holden on the first Thursday, instead of on the first Tuesday, in the month of February in each year.

Interpretation.

**24.** The acts thirty-second Victoria, chapter fifty-three, thirty-fourth Victoria, chapter twenty-four, and thirty-fifth



Victoria, chapter twenty-four, and this act, shall be read and construed together as one act, and as one special act according to the true intent and meaning of the Quebec Railway Act, 1869.

25. This act shall come into force on the day on which it is assented to. Coming into force of the act.

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SCHEDULE.

CITY HALL,

QUEBEC, 24th December, 1874.

At a special meeting of the council of the city of Quebec, held on the 27th November last, it was

*Resolved*,—That this council apply to the Provincial Legislature, at its ensuing session, to be authorized to issue debentures at thirty years at par, at an interest not exceeding seven per cent., as a subscription to the capital stock of the Gosford and Lake St. John Railway Company, at a rate of \$2,500 per mile, up to the sum of \$450,000, the payment of said subscription to be divided into five sections, of thirty-six miles each, of which \$50,000 be granted to the first section from Quebec to St. Raymond, and \$90,000 to each of the other four sections, from St. Raymond to Lake St. John, and the balance of \$40,000 payable when the road will be received and in full operation on the entire line. The said subscription subject to the clauses and conditions to be stipulated between the council and the company; and provided always, that the said road be completely finished to Lake St. John in five years.

Certified,

(Signed,)

L. A. CANNON,  
City Clerk.

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And at a meeting held on the 15th January, 1875, with respect to the subscription of the corporation to the Quebec and Lake St. John Railway stock, to the amount of \$450,000, in pursuance of the resolution passed by this council, on the 27th November last, it was

*Resolved*,—That His Worship the Mayor be authorized to have the necessary clauses introduced in the Quebec and Lake St. John Railway Bill, now before the Railway Committee of the Legislative Assembly, to secure the subscription of the corporation to the said railroad, on such terms and conditions as have been settled, and are set forth in the above mentioned resolution.

Certified,

(Signed,)

L. A. CANNON,  
City Clerk.

CITY HALL,

Quebec, 20th January, 1875.

CAP. XLVII.

An Act to incorporate the "St. Lawrence Bridge Company,"

[Assented to 23rd February, 1875.]

*Preamble.*

**W**HEREAS it has been represented that a bridge over the River St. Lawrence, made from one shore to the other, passing above St. Helen's Island or near this place, near the city of Montreal, has become an absolute necessity both to establish a connection between the railways on the North of said River St. Lawrence and the Railway system on the South of said river, as also to procure to horse or street railways; carriages, vehicles of all kinds, pedestrians, &c., a constant and easier mode of crossing the said river St. Lawrence at all seasons of the year; and whereas certain persons hereinafter named (amongst others) have petitioned for an act of incorporation for facilitating that object; and whereas it is expedient to grant the prayer of their petition; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

*Interpretation*

**1.** "The Quebec Railway Act, 1869," is hereby incorporated, except as hereinafter mentioned, with this act, and shall form part hereof; and the several provisions of "The Quebec Railway Act, 1869, applicable to a railway company, and a railway, shall, except as varied by this act, apply to the company hereby incorporated, and to the bridge hereby authorized to be constructed. But the sections of "The Quebec Railway Act, 1869," headed "Highways and Bridges," "Fences," "Working of the Railway,"

"General Provisions," "Application of Penalties," shall not apply hereto or be incorporated with this act.

2. Sir Hugh Allan, Hon. John Young, Aldis Bernard, General Samuel J. Anderson, of Portland, State of Maine, United States, the Hon. John J. C. Abbott, the Hon. Gédéon Ouimet, the Colonel A. B. Jewett, the Hon. J. A. Chapleau, William Workman, Waldo Brigham, Louis Beaubien, Samuel Thomas Willet, Henry Mulholland, C. J. Coursol, Ashly Hilbard, P. S. Murphy, Edward L. de Bellefeuille, Henry Pangman, P. H. Moore, together with such persons and corporations as shall, under the provisions of this act, become shareholders in the company hereby incorporated, are hereby constituted and declared to be a body corporate and politic, by the name of "The St. Lawrence Bridge Company," and shall as such be invested with all the powers, privileges, and immunities necessary to carry into effect their project and the intention and objects of this act, and of "The Quebec Railway Act, 1869," in so far as the last mentioned act is applicable, and all the powers which are incident to a similar corporation.

3. The company, as far as the Quebec legislature may authorize, shall have full power and authority to build, construct, maintain, work and manage a bridge across the River St. Lawrence, from a point on the north shore passing on or near the island called *Isle Ronde*, to the St. Helen's Island or near it, near the city of Montreal, to or near the parish of Longueuil or St. Lambert, in the county of Chambly, and may purchase, acquire, hold real and personal property as may be requisite for the object aforesaid, according to the provisions of "The Quebec Railway Act, 1869."

4. The capital of the company shall be five million dollars, divided into fifty thousand shares, of one hundred dollars each.

5. The said Sir Hugh Allan, Hon. John Young, Aldis Bernard, General Samuel J. Anderson, of Portland, State of Maine, United States, the Hon. John J. C. Abbott, the Hon. Gédéon Ouimet, the Colonel A. B. Jewett, the Hon. J. A. Chapleau, William Workman, Waldo Brigham, Louis Beaubien, Samuel Thomas Willett, Henry Mulholland, C. J. Coursol, Ashly Hilbard, P. S. Murphy, Edward L. de Bellefeuille, Henry Pangman, P. H. Moore, are hereby constituted the board of provisional Directors of the company.

6. The provisional directors of the company shall hold office as such until the first election of directors under their charge.

**Their powers.** Act; and shall have power and authority to open stock books and procure subscriptions of stock for the undertaking, giving at least four weeks previous notice in the *Quebec Official Gazette*, and in one newspaper in the city of Montreal, of the time and place of their meeting to receive subscriptions of stock; and the said provisional directors may cause surveys and plans to be made and executed, and may acquire any plans and make use of surveys now existing; and it shall be their duty, as hereinafter provided, to call a general meeting of shareholders for the election of directors.

**Who can be a shareholder.** 7. All shareholders in the company, whether British subjects or aliens, or residents in Canada or elsewhere, shall have equal right to hold stock in the company, and to vote on the same, and to be eligible to office in the company.

**Meeting for the election of the directors.** 8. So soon as two hundred thousand dollars of the said capital stock shall have been subscribed as aforesaid, and ten per centum *bona fide* paid thereon, and deposited in one or more of the chartered banks of Canada, for the purposes of the company, the directors or a majority of them, shall call a meeting of the shareholders of the company at such time and place as they may think proper; giving at least two weeks notice in the *Quebec Official Gazette*, or in one newspaper in the city of Montreal; at which meeting the shareholders shall elect eleven directors from the shareholders possessing the qualifications hereinafter mentioned; which directors shall hold office until the next annual meeting of the shareholders as hereinafter provided; and any provisional director may vote by proxy, and shall be eligible as a director; and six shall be the quorum of the board of directors.

**Duration of their charge.**

**Quorum.**

**Rights granted to certain companies, &c., on certain conditions.** 9. Any railway company whose road now has, or shall hereafter have, a terminus or station at or near the city of Montreal, or shall connect with any railway having such terminus, or whose trains are or shall be run to the localities aforesaid, may, with the consent of the majority of the shareholders of its stock, loan its credit to the corporation hereby created, and may subscribe to, or become the owner of the stock thereof in like manner and with like rights as individuals; and any municipal corporation, either city, county, town, township or village, interested in the said bridge, may also subscribe to, and become the owner of such stock, in the manner and with the rights aforesaid, or give any land or lands, or *bonus*, or sum or sums of money towards the undertaking, subject to the provisions of the municipal laws in force in the province of Quebec. And

every such railway company so subscribing to the capital stock, shall have the right to vote for election of directors, by the president or vice-president of such railway company acting on its behalf at any meeting held for such election and the president or vice-president of such company, shall be eligible for election as a director ; provided the railway company, of which he is president or vice-president, is the owner of at least one hundred shares in the stock of the company, and shall have paid up all calls made thereon.

10. The annual general meeting of the shareholders for the election of directors and other general purposes, shall be held on the second Wednesday of June, in each year, at the city of Montreal or elsewhere, as may be appointed by by-law ; and two weeks previous notice thereof, shall be given by publication as provided in the sixth section, or by by-law.

11. No person shall be elected a director of the company unless he shall be the shareholder of at least fifty shares in the stock of the company, and shall have paid up all calls made thereon.

12. No call to be made at any time upon the said capital stock shall exceed ten per centum on the subscribed capital ; and no stockholder shall be liable for the debts or obligations of the company beyond the unpaid amount of any stock held by him.

13. The power to borrow money conferred by the eleventh sub-section of the seventh section of "The Quebec Railway Act, 1869," may be exercised by the company in the issue of bonds under the seal of the company, and made and signed by the president or vice-president of the company, and countersigned by the secretary, and with or without coupons ; and such bonds shall, without registration, or formal conveyance, or instrument of hypothec, mortgage or pledge, be and be taken as an hypothec, mortgage and pledge, according to the rank and priority which may be therein mentioned, upon the bridge and undertaking and the real and personal property, franchises, tolls and revenues of the company then existing and thereafter acquired ; and each holder of the said bonds, shall be deemed to be a mortgagee and incumbrancer, *pro rata*, with all the other holders of bonds of the same issue, rank and priority, upon the said bridge and undertaking, and all and every the property of the company hereinbefore mentioned ; and such bonds may be sold and disposed of by the company at their marketable value ; provided that

the sanction of the shareholders or a majority thereof, be first obtained at any special general meeting, called for carrying into effect the powers in this section contained.

Power to become party to promissory notes, &c.

**14.** The company shall have the power to become parties to promissory notes and bills of exchange for sums not less than one hundred dollars; and any such promissory note made or endorsed, and such bill of exchange drawn, accepted or endorsed by the president or vice-president of the company, and countersigned by the secretary-treasurer, shall, as such, be presumed to have been properly made, drawn, accepted or endorsed, as the case may be, for the company, until the contrary be shown; and in no case shall it be necessary to have the seal of the company affixed to any such bill of exchange or promissory note; nor shall the president, vice-president, or secretary-treasurer of the company, so making, drawing, accepting or endorsing any such promissory note or bill of exchange, be thereby subjected individually to any liability whatever; provided always, that nothing in this section shall be construed to authorize the said company to issue any note payable to bearer, or any promissory note intended to be circulated as money, or as the note of a bank.

Proviso:

Plans and sites must be approved by the Lieut.-Govr.

**15.** The company shall not commence the said bridge, or any work thereunto appertaining, until such plans and the site of such bridge shall have been approved by the lieutenant-governor in council and such conditions as he shall have thought fit for the public good to impose touching the said bridge and works shall have been complied with; nor shall any such plan be altered, nor any deviation thereon allowed except by the permission of the lieutenant-governor in council, and upon such conditions as he shall impose.

Notice required before the comm. of the works.

**16.** The company shall, three months before any steps are taken in erecting the piers of the said bridge cause to be published in two of the public newspapers in the city of Montreal, a notice in which shall be stated the particular location of the said bridge, with reference to known land marks, the number of its piers, the length of its piers and the distances between them, the width in the clear, and the entire length of the bridge from land to land, and its height above the ordinary stages; and a copy of this notice, the facts of which shall be verified by the oath of the engineer, signed by the president and secretary of the company, and acknowledged by them before a magistrate or notary public, shall be filed in the office of the clerk of peace of the district of Montreal.

**17.** The company shall have power to use any of the Use of public  
public highways for the construction and maintenance of roads.  
the bridge or the works authorized by this act, with the  
consent of the municipal council having jurisdiction over  
such highways.

**18.** Whenever it shall become necessary to procure suffi- Power to ac-  
cient lands for stations or gravel pits, or other purposes, quire, &c., for  
for constructing, maintaining and using the said bridge, the stations, &c.  
company may purchase more land than is required for such  
stations or gravel pits, or other purposes. The company may  
purchase, hold, use, or enjoy such lands, and also the right  
of way thereto, if the same be separated from their bridge,  
in such manner, and for such purposes connected with the  
constructing, maintenance or use of the said bridge, as they  
may deem expedient, and may sell and convey the same, or  
parts thereof, when not required for use of the said bridge.

**19.** It shall be lawful for the company to enter into any Power of leas-  
agreement with any railway company or companies for ing said  
leasing the said bridge or the use thereof, at any time or bridge, &c.  
times, or for any period to such railway company or com-  
panies; and for leasing or hiring from such company or  
companies any railway, or part thereof, or the use there-  
of; or for leasing or hiring any locomotives, tender, steam  
vessels or movable property; and generally to make any  
agreement or agreements with any such company or compa-  
nies, touching the use by one, or the other or others, of the  
bridge or railway or railways, or movable property or  
of all together or of any of them, or any part thereof, or  
touching any service to be rendered by the one company to  
the other or others, and the compensation therefor; and any  
such railway company or companies, may agree for the loan Power of  
of its credit by direct guarantee or traffic contract or other- companies.  
wise to, or may subscribe to or acquire the stock of the leasing.  
company hereby created, in like manner and with like  
rights as individuals; and any such agreement shall be  
valid and binding, and shall be enforced by courts of law,  
according to the terms and tenor thereof in compliance  
with the said acts; and any company accepting and exe-  
cuting such lease, shall be and is empowered to exercise  
all the rights and privileges hereby conferred.

**20.** When the said railway bridge is completed and Right of sor-  
open to traffic, all trains of all railways terminating tain companies  
at or near the city of Montreal aforesaid, now con- to cross such  
structed or hereafter to be constructed, shall have the right bridge.  
to pass over the said bridge, including the cars of any other  
railway company which may be brought over such railways,



—at corresponding tariff rates, for the persons and property transported, so that no discrimination, in tariff rates, for such transportation, shall be made in favor of or against any railway whose trains or business pass over the said bridge.

**Case of disagreement as to that right.** **21.** In case of any disagreement, and as often as the same may arise, as to the right of any railway whose trains or business shall pass over the said work hereby authorized to be constructed, the same shall be determined by arbitrators, one to be appointed by the company and another by the company with whom the disagreement shall have arisen, and a third (who shall be some person experienced in railway affairs) by a judge of the superior court of the province of Quebec, upon application to such court,—  
**Arbitrators.** due notice thereof having been given to the parties interested; and the award of the said arbitrators, or the majority of them, shall be final; provided that the terms of the said award shall not be binding for a longer term than five years.  
**Their decision.**  
**Proviso:**

**Power to erect gates.** **22.** Whenever the said bridge is so completed as to admit of the passage of railway trains, the company may erect such gates and fixtures to guard the entrance of such trains upon the bridge, as the said directors may deem proper; and make such by-laws, rules and regulations, not inconsistent with the provisions of this act, in relation to the use of the said bridge, its machinery, appurtenances, and approaches, by railway companies, their trains and carriages, as well as by passengers on foot or on horseback or in vehicles, and by vehicles of all kinds, as the directors may think proper, and the tolls or charges therefor.  
**And make by-law.**

**Entry enforced.** **23.** If any person or persons shall force, or attempt to force any gate or guard of the said bridge, or the approaches thereto; or if any person shall wilfully do, or cause to be done, any act or acts whatsoever, whereby the said bridge, its lights, stations, works, machinery, fixtures or other appurtenances thereto, shall be obstructed, impaired, weakened, destroyed or injured, the person so offending shall forfeit to the company treble the damages sustained by means of such offence or injury, to be recovered in the name of the company with costs of suit, by any proper action for that purpose.  
**Depredations.**  
**Pena'ty.**

**Right to vote.** **24.** At all the meetings of the shareholders of the company hereby incorporated, each shareholder shall be entitled to cast one vote for each share of stock held by him, and to vote either in person or by proxy; and the directors of the company may also, at any meeting of the board, vote by  
**Proxy.**

proxy, such proxy to be held by another director ; provided Proviso : that no more than two proxies be held by one director, and not less than six directors shall be present in person at any meeting of the board of directors convened for the transaction of business.

25. The work shall be commenced within four years and Time for the completed within seven years from the coming into force completion of of this act. the work.

## C A P. II.

An Act respecting the construction of "the Quebec, Montreal, Ottawa and Occidental Railway."

[Assented to 24th December, 1875.]

**W**HEREAS the "North Shore Railway Company" Preamble. and the "Montreal, Ottawa and Western Railway Company," heretofore known as the "Montreal Northern Colonization Railway Company," have severally signified to the lieutenant-governor their inability to carry out the construction of the said lines of road, and whereas they have severally expressed their readiness to surrender to the government of the province of Quebec the property and rights of the said corporations, if the government would undertake to construct the said lines of railroad, with the branches thereof, to the Grand Piles and St. Jérôme ; and whereas it is in the public interest that the said roads should be constructed, and therefrom prolonged as hereinafter set forth ; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. There shall be a railway constructed, commencing at Railway to be the port of Quebec, and extending from deep water in the constructed. said port, *via* Montreal, to such point in the county of Pontiac as may be most suitable for connecting hereafter the said railway with the subsidized portion of the Canada Extent. Central railway, and with any other railway as the lieutenant-governor in council may hereafter decide, including therein a branch line from the city of Three Rivers to the Branches. Grand Piles, and another from Ste. Therese to St. Jerome ; and such railway shall be styled and known as "The Que- Name. bec, Montreal, Ottawa and Occidental Railway."

2. The said railway shall be a public work belonging to Shall be pub- the province of Quebec, held to and for the public uses of the property. the said province, and shall be made with a guage of four

Mode of construction, localization, &c.

feet eight and one half inches, and on such grades, in such places, in such manner, with such materials, and on such specifications, as the lieutenant-governor in council shall determine and appoint, as best adapted to the general interests of the province, the whole subject to any existing contracts which the legislature of Quebec may hereinafter or hereby ratify and confirm.

Commissioners.

3. The construction of the said railway and its management shall be under the control of three commissioners, to be appointed by the lieutenant-governor in council, who shall hold office during pleasure.

Their designation.

They shall be known by and under the name of "the commissioners of the Quebec, Montreal, Ottawa and Occidental Railway," and when acting as such, within the powers conferred by this act, they shall incur no personal liability.

Irresponsibility.

Engineers.

4. The lieutenant-governor in council shall and may appoint a chief engineer, and engineers, over the whole or over any section or part of the said road, who shall hold office during pleasure, and to whom the said commissioners shall intrust the general superintendence, under their instructions from time to time, of the works to be constructed or completed under the present act.

Secretary and other officers.

5. The commissioners shall and may, subject to the approval of the lieutenant-governor in council, appoint and employ a secretary, such engineers, surveyors and other officers, and also such agents, servants and workmen, as in their discretion they may deem necessary and proper for the execution of the powers and duties vested in and imposed on the said commissioners in virtue of the present act.

Power of the commissioners.

6. The commissioners shall have full power and authority, by themselves, their engineers, agents, workmen, servants and contractors, and the servants and workmen of such contractors :

To explore ;

1. To examine, explore and survey the present projected line of railway from Quebec westward, and the country adjacent thereto ;

To enter on lands.

2. And for that purpose to enter into and upon any public land, or the land of any corporation or person whatsoever ;

To make surveys.

3. To make surveys, examinations or other arrangements on such lands necessary for confirming, altering, establishing or locating the site of the railway, and to set out and

ascertain such parts of the lands as shall be necessary and proper for the railway ;

4. And further to fell or remove any trees standing in any woods, lands, or forests where the railway shall pass, to the distance of four rods from either side thereof. To fell or remove trees.

7. The resolution passed on the eleventh day of August, last by the directors of the North Shore Railway company, and subsequently to wit, on the 22nd day of November 1875, as ratified and confirmed by a resolution of the shareholders of the company, purporting to vest and convey all the property of the said railway company in and to the said province of Quebec, shall, at all times and places, be held to be full, final, complete, and effectual to all intents and purposes whatsoever; and all the property and rights of action of the said corporation and all the franchises and privileges thereof shall be, and the same are hereby, vested in Her Majesty, to and for the public uses of this province; and the enregistration of a copy of the said resolutions, in any registry office in any registration division of this province, in which any lands are situated, which have at any time heretofore been conveyed or bonded to the said company, shall have the same force and effect, as if such lands had been specially mentioned in the said resolutions, and separately, and specially and expressly therein described, any provision of any law or act to the contrary notwithstanding. Resolutions of the N. S. R. Co., confirmed. Effects. Enregistration and its effect.

8. The transfer and assignment passed on the second day of November, one thousand eight hundred and seventy-five, before Mtre Dumouchel, notary public, by and between the Montreal, Ottawa and Western Railway company and the province of Quebec, purporting to vest and convey all the property of the said railway company in and to the said province of Quebec, shall be held to be full, final, complete and effectual to all intents and purposes whatsoever; and all the property of the said corporation, and all the rights and privileges thereof, thereby conveyed or intended so to be, shall be, and the same are hereby, vested in Her Majesty, to and for the public uses of this province; and the registration of a copy of the said transfer and assignment, in any registry office in any registration division of this province, in which any lands are situated, which have at any time heretofore been conveyed or bonded to the said company, shall have the same force and effect as if such lands had been specially mentioned in the said contract or agreement, and separately, specially, and expressly therein described, any provision of any law or act to the contrary notwithstanding. Assignment of the Montreal, Ottawa and Western R. R. confirmed. Effects. Enregistration and its effect.

Contract with  
Hon. Mr. McGreevy, con-  
firmed.

9. The contract passed at the city of Quebec, on the twenty-fourth day of September, last past, before Mtre. Ph. Huot and colleagues, notaries, between the Honorable Charles B. deBoucherville, representing the province of Quebec, and the Honorable Thomas McGreevy, for the construction and completion of that portion of the said railway, between deep water in the port of the city of Quebec, and the city of Montreal, and the branch thereof to Grand Piles, is hereby ratified and confirmed.

Contract with  
Mr. D. Mac-  
donald, con-  
firmed.

10. The contract passed before Mtre Dumouchel, notary public, at the city of Quebec, on the sixteenth day of November, in the year of Our Lord one thousand eight hundred and seventy-five, between the Honorable Charles B. de Boucherville, representing the province of Quebec, and Duncan MacDonald, for the construction and completion of that portion of the said railway between the city of Montreal and the village of Aylmer, in the county of Ottawa, with the branch to St. Jérôme, is hereby ratified and confirmed.

The Quebec  
railway act  
shall apply.

11. The provisions of *The Quebec Railway Act* 1869, so far as they are applicable to the undertaking hereby authorized, and in so far as they are not varied by or inconsistent with, the provisions of this act, shall apply to the said Railway to the extent to which they are applicable thereto, and be construed to form part of the present act.

The deposit  
of plans, here-  
tofore made  
may be of use.

The said commissioners in locating the railway hereby authorized to be constructed, at any place or point where the same is not already located, shall be entitled to avail themselves of the deposit heretofore made by the Montreal Ottawa and Western Railway company, or by the Montreal Northern Colonization Railway company, in the Office of the Clerks of the Peace for the districts or counties through which the said railway was intended to pass, and shall forthwith cause a complete copy of such plans and books of reference to be deposited in the office of the department of public works, and such deposit shall be held to be a compliance with the provisions of *The Quebec Railway Act* 1869, in respect of plans and surveys, and shall be held to be a sufficient basis for any proceedings to be taken under the said railway act, to the same extent and in the same manner as if the said commissioners had made and corrected maps or plans and books of reference, and had deposited them and copies of them, in conformity with the first and second sub-sections of the eighth section of the said *Quebec Railway Act*, 1869. And the copies now deposited in the said office of the said clerks of the peace and the copy to be deposited in the department of public works in confor-

Copies shall  
be deposited  
in the Public  
Works depart-  
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mity hereto, shall be treated, received, dealt with and accepted in every respect as if the same had been made and deposited by the commissioners under the provisions of the said eighth section.

The line heretofore adopted by the Montreal, Ottawa and Western Railway, unless the same be changed by the said Commissioners, is hereby declared to be in future, the line of the Quebec, Montreal, Ottawa and Occidental railway between Montreal and Aylmer, and of the branch to Saint Jérôme, but such location shall be subject to all such alterations as shall be made therein, in conformity to the said eighth section of the said railway act; which alteration shall be made in the manner, prescribed in the said section.

The line, heretofore adopted, is the true line, but may be changed.

In cases where proceedings have been commenced by the said Montreal, Ottawa and Western Railway, or by the Montreal Northern Colonization Railway, for the expropriation or acquisition of lands for the purposes of the said railway, and have not been completed, the commissioners shall have the right to continue such proceedings under the provisions of the said *Quebec Railway Act*, 1869, provided the proprietors or persons interested in such lands, shall file with the commissioners a written consent thereto; but the said commissioners may discontinue all anterior proceedings, on the part of the said company, and may commence such proceedings *de novo* under the said *Quebec Railway Act*; and in the valuation of such properties allowance may be made to such proprietors, or parties interested, for any actual and material damage which has been caused to them by the discontinuance of such previous proceedings. But no constructive or general damages shall be awarded in relation thereto.

Proceedings respecting expropriation or acquisition may be continued.

Consent required.

May be commenced, *de novo*.

Damages to be paid.

The deposit of maps, plans and books of reference, wherever made by or on behalf of the said North Shore Railway company, and all valuations, tenders, deposits of money, and all other steps and proceedings taken by or on behalf of the said company, towards the acquisition or expropriation of any land or property required for the purposes of the said railway, shall enure to the benefit of the said province, and the said commissioners shall have the power to take up such proceedings at whatever stage they may have arrived, and to continue and complete the same in the same manner as might have been done by the said company; and they may discontinue such proceedings and begin others, according as they may deem advisable.

Deposit of plans made by the N. S. R. of use.

Proceedings of acquisition and expropriation.

12. The said commissioners may enter into contracts and stipulations with all persons, corporations, guardians, tutors, curators and trustees whatsoever, not only for them-

Contracts with capable persons, and those repre-

senting the  
incapable.

selves, their heirs, assigns and legal representatives but also for and in the name of those whom they represent, whether minors, absentees, lunatics, married women, or persons otherwise incapable of contracting, in relation to the purchase of any land or other property necessary for the construction, maintenance and use of the railroad, upon such prices as may be agreed between them; and they may also enter into contracts and stipulations with such persons and corporations, in respect of the amount of compensation to be paid for all damages sustained by them, by reason of anything done in virtue and under the authority of the present act.

Construction  
of the portion  
between Ayl-  
mer and  
Pontiac.

Tenders.

**13.** As to that portion of the said railway between Aylmer aforesaid and the point in the county of Pontiac which shall be determined upon, as most suitable for crossing the Ottawa river to connect such portion of the said railway, with the subsidized portion of the Canada Central Railway, the said commissioners shall build the same by tender and contract, after the plans and specifications therefor shall have been duly advertized; and they shall accept the tenders of such contractors as shall appear to them to be possessed of sufficient skill, experience and resources, to carry out the work or such portions thereof as they may contract for; provided always, that the said commissioners shall not be bound to accept the lowest, or any tender, if they should deem it for the public interest not to do so, and provided also that no contract under this section shall be concluded by the commissioners, until first duly sanctioned by the lieutenant-governor in council.

Assent of the  
lieut.-gov.

Stipulations  
in the con-  
tract.

**14.** The contract, to be so entered into shall be guarded by such securities, and contain such provisions for retaining a proportion of the contract moneys, to be held as a reserve fund, for such period of time and on such conditions, as may appear to be necessary for the protection of the public, and for securing the due performance of the contract.

Certificate  
required be-  
fore payment.

**15.** No moneys shall be paid to any contractor until the chief engineer shall have certified that the work, for or on account of which, the same shall be claimed, has been duly executed, nor until such certificate shall have been approved of by the commissioners.

Members of  
the Legisla-  
ture.

**16.** No member of the legislature shall be a commissioner, under this act, or shall hold, or be appointed to any office of emolument under the commissioners, or be a contractor, or party to any contract with the commissioners, for the construction of the railway or any part thereof.



17. The lieutenant-governor, in council, or any person or persons appointed by him, shall have power to inspect all contracts, and proceedings of the commissioners and to examine their accounts at all times.

18. The lieutenant-governor in council shall fix the rate of salary or compensation for the commissioners and the chief engineer, and shall approve of all other salaries to be awarded by the commissioners, subject in all cases to the revision and confirmation of the legislature.

19. The lieutenant-governor in council shall have power, at any time, to suspend the progress of the work until the then next session of the legislature.

20. The treasurer of the province, shall from time to time pay to the commissioners, on their demand, all moneys required under this act, for the purposes thereof, in such manner, at such times, and in such sums, as may, from time to time, be ordered by the lieutenant-governor in council.

21. The commissioners shall furnish quarterly accounts, (or oftener if required by the lieutenant-governor in council), to the treasurer of the province, of all expenditure and liabilities made and incurred under this act.

22. The commissioners may make such arrangements with the Canada Central railway company, as shall be approved by the lieutenant-governor in council, for the extension of the said Canada Central railway, from the eastern terminus of the subsidized portion thereof, or from such other point of junction with the said subsidized portion thereof, as may be selected, to the Ottawa river, opposite the western terminus of the railway hereby authorized to be constructed, or for the construction of a bridge over the said river at the said last mentioned terminus; and also, to make such arrangements for the transit of rolling stock, goods, freight and passengers over the said subsidized portion of the said Canada Central railway, and over the Canada Pacific railway, or any branch thereof, as shall be approved by the lieutenant-governor in council, but such arrangements shall only be binding and conclusive, after having been approved by the legislature of the province of Quebec.

23. For the construction of that portion of the said railway lying between the said point fixed or to be fixed in the county of Pontiac, and the eastern terminus of the

respecting  
the portion  
from Aylmer  
to Pontiac

said subsidized portion of the Canada Central railway in the province of Ontario, or such point thereon as may be selected as a point of junction, the said commissioners shall also have full power and authority, in their quality of such commissioners, to apply to the parliament of the Dominion of Canada, for authority to construct such portion of the said railway, subject to such regulations as the lieutenant-governor in council may prescribe, and on such terms and conditions, and with such powers, franchises and limitations, as the said parliament of the Dominion of Canada may think proper to grant and confer.

Grant of lands  
to the two  
Cos. re-  
pealed.

**24.** All that portion of sections two and five of the act of this province, 34 Vict., chap. 21 of section three of the act of this province, 36 Vict., chap. 42, and any other provision of law, whereby a grant of lands has been given or reserved to the North Shore Railway company or Grand Piles branch thereof, or to the Montreal, Ottawa, and Western Railway Company, are hereby repealed; and the said lands are hereby re-united to the public lands of the province of Quebec, as fully and completely, as if the said sections or provisions had never been passed.

Loan of  
\$3,000,000 by  
the commis-  
sioners.

**25.** The said commissioners are authorized to raise by way of loan, a sum not exceeding three millions of dollars, for the construction of the said road and its branches, and for such purpose to issue bonds or debentures, and they may, by the lieutenant-governor in council, be authorized to guarantee in the name of the province, that the said railroad shall be completed and put in operation.

Guarantee.

Debentures.

**26.** Such bonds or debentures shall be signed by one of the commissioners and countersigned and registered in a special book by the secretary of the said commissioners, and they shall be certified, as having issued under this act, by the treasurer of the province.

Interest.

They shall be made payable in thirty years, and shall bear interest at a rate not exceeding six per cent per annum, payable semi-annually, on presentation of the interest coupons thereunto annexed.

Coupons.

The interest coupons annexed to the debentures shall be signed by the secretary of the said commissioners.

When and  
where pay-  
able.

**27.** The bonds or debentures issued by the said commissioners may be made payable in Canada or elsewhere, and in currency or sterling, as they shall deem most expedient to facilitate the negotiation thereof.

Disposal of the  
bonds.

**28.** The said commissioners may sell the bonds or debentures issued in virtue of the present act and dispose

of the same at such prices as they may agree upon, and the lieutenant-governor in council shall approve or direct ; and they may guarantee the due payment of the principal and interest of the said debentures by first mortgage or hypothec on the said line of railway, and the lands, buildings, rolling stock, plant, and upon all other property, and revenue, and the commissioners shall be bound, from time to time, to execute any deed or other instrument which the lieutenant-governor in council may approve, which may be requisite to perfect the charge intended to be created by such mortgage or hypothec, and to perfect the securities thereby intended to be given, and to enable such charge to be made completely effectual by registration thereof, in accordance with the laws of this province.

29. Every such mortgage or hypothec may be from time to time made to any corporation, or to any person or persons in the United Kingdom, or in the Dominion of Canada or elsewhere, as trustees for the holders of the said debentures ; which debentures shall refer to such mortgage or hypothec, and shall be countersigned by the trustees, or one of them, or by some person in their name duly authorized by them in that behalf, for the purpose of identifying such debentures as those which are to be secured by such mortgage or hypothec ; but any bank, or company lawfully incorporated for financial purposes, may be also appointed trustees, and they are hereby authorized to accept such appointment and perform the duties connected therewith, as described in such mortgage or hypothec.

30. Every such mortgage or hypothec may contain authority to the trustees to take possession of, to work and sell the railway, lands and other property therein comprised, upon default by the commissioners to pay the interest of the debentures to be secured thereby, or any part thereof, within such delays respectively, and upon such terms and conditions, as the said commissioners shall agree on, and the lieutenant-governor in council approve or direct, as set forth in such mortgage and hypothec.

31. Every such mortgage or hypothec, upon being duly registered in accordance with the laws of this province, by the registration thereof or of an authentic notarial copy thereof, in the registry offices for all the registration divisions in which shall be situate any part of the railway, lands or other property intended to be affected thereby, and without the registration of any of the debentures is-

Priority.

sued shall, for the purposes of this act, and of the loan to be made in virtue thereof, take effect in priority from the date of its registration, without reference to the date or dates at which the debentures to be secured thereby shall be issued, and at whatever subsequent date or dates they shall be issued; and except when otherwise provided in the mortgage or hypothec, all the debentures to be issued, upon the security thereof, shall be secured thereby *pari passu*, and without any preference of one over the other, in consequence of the respective dates of issue thereof, or for any other reason.

Power of the trustees.

**32.** The trustees may, at all times, in their own names, and without the concurrence or co-operation of any of the debenture-holders, enforce all the rights which such mortgage or hypothec shall purport to confer upon them, and all contracts into which, for the purposes of benefiting or protecting the debenture-holders, they may enter with the said commissioners respecting the construction of the railway, or with any other persons, in precisely the same way as if such contracts, and such mortgage or hypothec had been made to them for their own benefit, and that they, the holders of all the debentures issued thereunder and intended to be secured thereby; and for such purpose they may, if necessary, bring or defend in their own names, any actions or suits in any court in the province of Quebec.

Accounts to be rendered by the trustees.

**33.** It may be a condition of such mortgage or hypothec that upon the said trustees assuming to take possession of and work the said railway, they, the said trustees, shall be bound and obliged to render periodical accounts to the commissioners, of the earnings and receipts of the said road, and to pay over to the said commissioners any surplus of revenue over and above what is required for the payment of the claims of the said debenture-holders, and over and above the expense of working and maintaining the said road, the whole subject to such penalty, as in and by the said mortgage may be stipulated for and provided.

Surplus of revenue.

Sinking fund.

**34.** A sinking fund is hereby established, to which the said commissioners shall pay an annual sum of one per cent, on the amount of the bonds or debentures issued in virtue of this act, and such sum shall be by them paid over to the provincial treasurer, in equal semi-annual payments, and shall be invested by and permitted to accumulate under the management of the said treasurer.

Redemption of debentures.

**35.** Such sinking fund may be employed in the redemption of the debentures so issued, in accordance with

the instructions of the provincial treasurer, as approved by the lieutenant-governor in council.

**36.** From and out of the revenue of the said road, after payment of the current expenses for the maintenance and working thereof, the first claims to be paid shall be the interest on the bonds and debentures issued by the said commissioners under the present act, and the sums to be devoted to the sinking fund established under section 34 ; the interest payable to the municipal corporations as hereinafore stated shall be the second claim ; and the balance shall be the property of the crown and shall form part of the consolidated revenue fund of the province.

**37.** The municipal grants or subscriptions for stock mentioned in schedule A hereunto annexed, made under the several by-laws authorizing the same in favor of the said North Shore Railway Company, and of the said Montreal, Ottawa and Western Railway Company, hitherto known as the Montreal Northern Colonization Railway company, shall be and are vested in the Quebec, Montreal, Ottawa and Occidental Railway, and shall be paid to the treasurer of the province.

**38.** The corporations which have made such grants or subscribed for the said stock shall not be admitted to plead by way of exception, or for the purpose of modifying their engagements, the lapse of time, or negligence on the part of the companies, or either of them, in fulfilling the conditions or any of the conditions, under which the said grants or subscriptions for stock were made ; and the said several by-laws are hereby declared to be obligatory, legal and effectual for all purposes whatsoever ; and the said corporations shall be respectively bound and obliged to execute, issue and deliver to the provincial treasurer, the total amount of their said respective bonds or debentures, the issue whereof is authorized by such by-laws, and the treasurer may, when necessary, and as the case may require, negotiate such bonds or debentures.

**39.** The several amounts of the subscriptions of the municipal corporations to the capital stock, of the " North Shore Railway Company, " or of the " Montreal Northern Colonization Railway Company, " and of the bonuses granted to such companies, including the sums already paid, shall be deemed to be invested in the said road, and shall bear interest, to be paid by the said commissioners to the said corporations, at such rate, not exceeding five per centum per annum on their respective amounts, as

the annual revenue of the said road will admit of, after payment of the cost of maintenance and running expenses, of the interest on bonds or debentures issued under section 25, and of the sinking fund established under section 34,—such interest not to begin to run, until after the whole of the said road shall have been completed and put in operation.

Balance of subsidies and municipal grant, to be paid to the commissioners.

40. The balance of the various subsidies or grants accorded by the acts of this province now in force, to "The North Shore Railway Company," and to "The Montreal Northern Colonization Railway Company," and the sums subscribed by the cities of Quebec, Montreal and Three Rivers, and the several other corporations and municipalities shall be paid by the treasurer of the province to the said commissioners for the purposes of this act, and shall be expended on the parts of the road, in respect of which such subsidies, grants and subscriptions were given; and the said payments shall be made subject to the terms of the proviso relating to the road from the city of Three Rivers to the Grand Piles, and to the establishment of steam navigation on the St. Maurice, contained in subsection 1 of section 16 of the act of this province, 37 Vict., cap. 2, and also subject to the proviso contained in section 21 of the said act.

How spent.

Additional subsidy of \$2,320,000.

41. The lieutenant-governor in council may grant to the said commissioners for the construction of the railway to be built in virtue of the present act, another additional subsidy of two millions three hundred and twenty-seven thousand dollars, as representing the value of the grant in land accorded to the North Shore and Montreal Northern Colonization railways.

Lease of the road.

42. The lieutenant-governor in council may, so soon as the said road or any section thereof shall have been completed, lease the said road or section thereof to any person or persons, or to any corporation, subject to the approval of the legislature.

General investment in the road.

43. And to avoid all doubts it is hereby enacted that "the Quebec, Montreal, Ottawa and Occidental Railway" is hereby vested with all the rights, powers, immunities, franchises, privileges and assets, heretofore by any act granted unto either the North Shore Railway Company, or the Montreal Northern Colonization Railway Company, subject nevertheless to any alterations, limitations or restrictions herein contained, and so far as this legislature may or can do, with all the rights, powers immunities,

franchises, privileges and assets granted by the parliament of the Dominion of Canada to the Montreal, Ottawa and Western Railway Company.

44. Notwithstanding anything to the contrary in any of the hereinbefore recited acts, or in any of the by-laws <sup>Directors abolished.</sup> hereinbefore alluded to, the said several corporations shall not be entitled to appoint or to be represented by any directors in the management of the affairs of the company; and the directorate contemplated and provided for by the provisions of the said acts is hereby abolished.

45. The contracts or agreements hereinbefore alluded to for the transfer of the rights and assets of the North Shore Railway Company and of the Montreal, Ottawa and Western Railway Company, to the province of Quebec being ratified, the rights of the individual shareholders, in the said companies, shall be transferred to and vested in the said commissioners in their quality, to and for the uses of this province.

The stock of individual shareholders in the said companies, or so much thereof as shall have been paid up, shall be refunded to them. <sup>Stock refunded.</sup>

46. And it is further enacted that the said commissioners, in their said quality, by and with the consent of the lieutenant-governor in council, may be and they are hereby authorized to apply to the parliament of Canada, for any legislation which may be deemed necessary for the purposes of this act. <sup>Federal legislation may be asked for.</sup>

47. The present act shall come into force on the day of the sanction thereof. <sup>Act into force.</sup>

SCHEDULE A.

Municipal subscriptions and grants to the Montreal Northern Colonization Railway.

The city of Montreal.....	\$1,000,000	in stock.
The county of Ottawa.....	200,000	"
The parish of St. André.....	25,000	"
The village of Ste. Thérèse de Blainville.....	12,000	"
The village of Ste. Thérèse.....	12,000	"
The village of St. Jérôme.....	15,000	"
The parish of St. Jérôme.....	10,000	"
The village of Ste. Scholastique...	10,000	"



The village of St. Jérusalem d'Argenteuil (Lachute).....	25,000 Bontus.
The village of la Côte St. Louis...	25,000 in stock.

**II. Municipal subscriptions to the North Shore Railway.**

The city of Quebec.....	\$1,000,000 in stock.
The city of Three Rivers.....	100,000 "
The parish of St. Sauveur de Québec.....	25,000 "

**CAP. III.**

An Act to amend the law respecting subsidies in money made to certain railways.

[Assented to 24th December, 1875.]

**H**ER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

- Consention authorized in payment of the interest.      **1.** The lieutenant-governor in council may, upon a resolution of the directors of any company entitled to a subsidy in money, convert such subsidy into a guarantee, and payment by this province, in favor of the holders of bonds or debentures of such company, of interest at the rate of five per centum per annum, on a capital which at such rate produces a sum in interest, equal to the subsidy granted for each mile of road, together with interest thereon, until the whole subsidy be paid.
- Subsidies already paid returned.      **2.** Any payment on a subsidy already made by this province, may be returned to the provincial treasurer, and thereafter converted into a like guarantee, for such part or portion of the subsidy returned.
- Payment.      **3.** The payment of the interest shall be made semi-annually, for every ten miles or more of road completed, continuous and uninterrupted.
- Subsidy of the Montreal, Chambly and Sorel comp'y changed as regards a certain part of the road.      **4.** The subsidy of one thousand dollars per mile granted to the Montreal, Chambly and Sorel railway company, (now amalgamated with and known as the Montreal, Portland and Boston railway company), for that part of the said road from Sorel to Chambly, and from Chambly to St. Jean, shall be withdrawn, and used, applied and paid on the line of the said Montreal, Portland and Boston railway *vid* Chambly, West Farnham and Frelighsburg, to the frontier of this province ; provided that between this
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day and the first day of August next, the directors of the said Montreal, Portland and Boston railway company, pass a resolution to such end, and that such resolution be approved by a majority of the votes of the shareholders thereof, and by the lieutenant-governor in council, and provided that the directors of such company have given satisfactory evidence to the lieutenant-governor in council that the company has paid to the proprietors the cost of the right of way, and the damage to their properties. Proviso.

5. The subsidy of two thousand five hundred dollars per mile granted to the South-Eastern railway company, for that part of the said road heretofore known as the Richelieu, Drummond and Arthabaska counties railway, for a length of fifty-five miles, from Drummondville to the Arthabaska branch (Grand Trunk,) and all that portion of the said road to the east of Drummondville, shall be withdrawn, and used, applied and paid on the line of the said South-Eastern railway, from Sorel to Sutton Junction *via* Acton and Waterloo ; provided that between this day and the first day of August next, the directors of the said company pass a resolution to that end, and that such resolution be approved by the majority of the votes of the shareholders thereof, and by the lieutenant-governor in council ; provided also, that the said company return to the municipality of the townships of Wendover and Simpson, the bonds or debentures subscribed by such municipality to the said road, or the amount thereof, save and except the interest already paid thereon ; and provided that, in any case, the apportionment of the said subsidy added to the present subsidy, does not exceed the total amount of \$4000 for each mile of road. Subsidy to the company of the South-Eastern railway, way changed for a certain portion.

Nothing hereinabove contained shall affect the road to L'avenir. Proviso.

6. The delay accorded by section 2 of the act of this province 38 Vict., ch. 2, is extended until the first day of the month of October next. Certain delay extended.

7. Nothing in this act contained shall be construed as extending the period for the accomplishment of the conditions which such companies are bound to fulfil to be entitled to a subsidy in money, save in so far as is prescribed in the section preceding. Interpretation.

8. This act shall come into force on the day of the sanction thereof.

## CAP. IV.

An Act authorizing the issue of Provincial Debentures, for the payment of the subsidies granted to railway companies.

[As ented to 24th December, 1875.]

**H**ER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

**1.** The lieutenant-governor in council may authorize the provincial treasurer, to contract a loan and to that end to issue, sell and negotiate bonds or debentures in the name of the province, to an amount not exceeding eight hundred and sixty thousand pounds sterling.

Loan of  
£860,000 sterl.

**2.** Such bonds or debentures shall be issued in the form, and according to the mode and conditions which the lieutenant-governor in council shall deem expedient to prescribe, in the interests of the province.

Debentures,  
their form, &c.

Such bonds shall be payable in thirty years, in currency or sterling; and shall bear interest, not exceeding five per centum per annum. A sinking fund of one per centum per annum shall be established for their redemption.

Sinking fund.

**3.** The amount raised by such loan and issue of debentures, shall be employed in the payment of the subsidies granted by the various acts of this legislature

Employment.

**4.** This act shall come into force on the day of the sanction thereof.

Act in force.

## CAP. LIII.

An Act further to amend "The Quebec Railway Act, 1869," (32 Vict., chap. 51.)

[Assented to 24th December, 1875.]

**H**ER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

**1.** Paragraph twenty-eight of section nine of "the Quebec Railway Act, 1869," is amended by the addition of the words following : " But ten days previous notice of the time and place when and where application will be made for its granting, shall be served upon the owner of the land or upon the party empowered to convey the land, or

v 28, s. 9, of  
32 Vict., c. 51,  
amended.

interested in the land to be taken or required by the company; and the costs of the application to, and of the hearing before the judge, shall be borne by the company, whenever the compensation awarded shall be more than they had declared their readiness to pay; provided however, that when such owner or party is absent from the district without having a known agent upon whom such service can be made, or when such owner or party is unknown, application for such warrant may be made at any time after the expiration of the month's notice mentioned in paragraph thirteen without any other or further notice."

CAP. LIV.

An act to change the name of "the Philipsburg, Farnham and Yamaska Railway Company" to that of "The Lake Champlain and St. Lawrence Junction Railway Company," and to allow the company to change its line of road.

[Assented to 24th December, 1875.]

WHEREAS "the Philipsburg, Farnham and Yamaska Railway Company, a body politic and incorporated under an act of the legislature of the province of Quebec, to wit, chapter 51, of 35th Victoria, has, by its petition, prayed to be authorized to change its name, and to make certain changes in the line of its road to the north of the city of St. Hyacinthe, and whereas it is expedient to grant the prayer of the petition; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

I. The name of the said Philipsburg, Farnham and Yamaska Railway Company, is hereby changed to that of "The Lake Champlain and St. Lawrence Junction Railway Company," which name shall be and subsist instead of that up to this time belonging to the said company; but such change of name shall in no manner be interpreted as modifying or affecting any of the rights of the said company, or any of its obligations, or any suit, action, or proceeding pending or had at the time when the present act shall come into force, but all such rights and obligations shall subsist as if the present act had not been passed; and all such suits, actions or proceedings shall continue as if this act had not been passed; but any new proceedings which may hereafter be instituted either by or against the said company, shall be in the name assigned to it by the present act.

**Certain line, not obligatory.** 2. The said company shall not be obliged to build the road to the north of the city of St. Hyacinthe, over the properties and at the places shown on the charts, plans or books of reference already made for that part of the road to the north of the said city, and now deposited in the office of the department of public works, but it may adopt such other line, as it may deem convenient, within the limits of the counties of St. Hyacinthe, Bagot, Drummond, Richelieu, Yamaska and Nicolet, provided that the northern and southern termini of the line be not changed, and provided also, that new plans, charts or books of reference, for that part of the road, be prepared and deposited as required by law, and the same shall be substituted to the first for all lawful purposes and the properties that shall be designated on the new plans, charts and books of reference may be expropriated in the manner provided by the railway Act of 1869 and its amendments.

**Power to make another. Proviso :**

**Act in force.** 3. The present act shall come into force on the day of the sanction thereof.

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C, A P. LV.

An Act further to amend the acts relating to the Stanstead, Shefford and Chambly Railroad Company.

[Assented to 24th December, 1875.]

**Preamble.** WHEREAS the Stanstead, Shefford and Chambly Railroad company have petitioned the legislature for certain amendments to their act of incorporation and the other acts relating thereto, and inasmuch as the said railroad has been completed and in good working order, as far as the village of Waterloo, in the township of Shefford, and the company are using their utmost efforts to reach the terminus originally proposed, either alone or with the corporation of the Waterloo and Magog railway company, which was incorporated, in the year 1871, it is expedient to grant the prayer of their petition; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

**Provisions of acts, continued.** 1. Notwithstanding anything in the act passed in the 32nd year of Her Majesty's reign, chap. 61, or in any other act contained, and the non-completion of the said railroad within the period limited by the said last mentioned act the corporate existence and powers of the

said Stanstead, Shefford and Chambly railroad company shall be held to have continued, and shall continue in full force and effect, and all proceedings taken and things done by the said company, and the directors and officers thereof, within the limits assigned to them by the said act of incorporation and other acts relating thereto, shall be held good and valid; provided the said railroad be completed and put in operation within ten years after the passing of this act.

Proceedings  
declared good  
and valid.

Delay extend-  
ed.

2. Notwithstanding anything contained in the said act of incorporation, or in any other act, the next general meeting of shareholders of the said company, for the election of directors, and for the transaction of the general business thereof, shall be held on the second Wednesday in November next, after the passing of this act, and thence annually on the second Wednesday in November in each year thereafter; public notices of such annual general meeting shall be given, and the election shall be held in the manner provided by the said act of incorporation.

Time of the  
general  
meetings of  
the share-  
holders.

#### CAP. LVI.

An Act to amend the act incorporating the Montreal Portland and Boston Railway Company.

[Assented to 24th December, 1875.]

**W**HEREAS the Montreal, Portland and Boston Railway Company have by their petition represented that it is desirable to amend their act of incorporation, and it is expedient to grant their prayer; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Preamble.

1. The time for completion of the works of the railway is extended to two years from the passing of this act.

Delay  
extended.

2. The following words in the fifteenth section of the act incorporating the Montreal, Chambly and Sorel Railway Company, 35 Vict., cap. 29, are struck out, to wit: "the whole under pain of loss and deprivation of all the rights conferred upon them by this act."

35 V., c. 29, a.  
15, amended.

3. The directors of the said company shall have the power to issue preferential bonds or debentures, signed by the president or the vice-president of the said company,

Issue of  
preferential  
debentures.

Privilege thereof.

and countersigned by the secretary and treasurer, or the secretary-treasurer, as the case may be and under the seal of the said company, for the purpose of completing and equipping their railway, and such bonds or debentures shall be and be considered to be first privileged claims upon the property and rolling stock of the said company, and shall bear a first mortgage or hypothec upon the said railway, lands, bridges, buildings, and rolling stock, and such preferential bonds or debentures shall form a first charge on the tolls and income of the company, and shall take precedence and priority over all or any of the bonds or debentures already issued by the said company, but no such bonds or debentures shall be issued without the consent in writing, first having been obtained from the holders of all and every the first and second mortgages, bonds or debentures which have heretofore been issued by the said company, provided always that the amount of such bonds or debentures hereby authorized to be issued shall not exceed eight thousand dollars per mile.

Consent required.

Proviso.

Number of the directors.

4. The board of directors shall hereafter be composed of not less than seven and not more than nine members.

Act in force.

5. This act shall come into force immediately after its sanction.

C A P. L V I I.

An Act to further amend "the act incorporating the Levis and Kennebec Railway Company."

[Assented to 24th December, 1875.]

Preamble.

**W**HEREAS the Levis and Kennebec Railway Company have prayed, that the act to amend their act of incorporation be amended in the particulars hereinafter set forth, and it is expedient to grant their prayer; and whereas it appears that a total length of forty-five miles of the company's line having been completed, a first and second issue each of one hundred thousand pounds of the company's debentures have been made, each of such issues consisting of one thousand debentures of one hundred pounds sterling each; and whereas, since the passing of the said amended act, the subsidy granted by the provincial legislature has been increased to four thousand dollars per mile, and further subsidies are about to be granted by various municipalities through which the line passes, thus providing a considerable portion of the amount required for the com-



pletion of the earthworks and bridges on the forty-five miles of lines remaining to be completed ; and whereas, to ensure the speedy completion of the said forty-five miles now incomplete, it is expedient that the rails and fastenings required should be provided without delay ; Therefore Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. The following words in the twenty-second, twenty-third, twenty-fourth, twenty-fifth, twenty-sixth, twenty-seventh, twenty-eighth, twenty-ninth and thirtieth lines in the first section of the act thirty-seven Victoria, chapter twenty-three, to wit : " And no more of such bonds shall be issued by the company until seventy-five miles of the said road (inclusive of the aforesaid forty-five miles) shall be complete and in running order as certified by the government inspecting engineer, and so soon as such seventy-five miles shall have been certified as completed and in running order as aforesaid, then the remaining one thousand bonds of one hundred pounds sterling each, to be termed the third issue, may be issued by the company," are struck out and the following are substituted therefor : " And so soon as the rails and fastenings required for the completion of the remaining forty-five miles or thereabouts of the company's line shall have been provided, then the remaining one thousand bonds of one hundred pounds sterling each, to be termed the third issue, may be issued by the company." 37 v., c. 23, amended. Time of the third issue.

CAP. II.

An Act respecting the consolidated railway fund of the province of Quebec.

[Assented to 28th December, 1876.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. There shall be and there is hereby created a railway fund for the province of Quebec, to be known as the " Consolidated railway fund of the province of Quebec." Establishment of the fund.

2. This fund shall be composed of the debentures of this province, or of the proceeds of any debentures of this province, which have been heretofore or which shall be hereafter issued negotiated and sold under any act of the legislature of this province, passed or to be passed, and of any Composition of the fund.

unexpended balances of any sum of money now in the hands of the treasurer of this province, or which may hereafter come into his hands to aid in the construction of any railway now entitled to a subsidy or which may hereafter become entitled to one, or to construct the Quebec, Montreal, Ottawa and Occidental Railway.

All the municipal debentures, or municipal subscriptions mentioned in schedule A of Chapter 2, of 39 Vict., of the acts of this province, shall also fall into and form part of this fund.

Employment of the moneys constituting the fund.

3. It shall be lawful for the Lieutenant-Governor in council to pay, out of the said fund, unto any railway company entitled to any subsidy by virtue of any act of this province, or unto the commissioners of the Quebec, Montreal, Ottawa and Occidental Railway, such subsidy, at such time, and in such amounts, as by law they are entitled to have and demand the same.

Advance of \$3,000,000 to the commissioners of the Q. M. O. & O. Railway.

4. It shall be lawful for the Lieutenant-Governor in council, if he shall deem it expedient so to do, to advance out of the said fund unto the commissioners of the Quebec, Montreal, Ottawa and Occidental Railway, such sum or sums of money, not exceeding in the aggregate the sum of \$3,000,000 as he shall deem meet.

Delivery of bonds to the treasurer.

But in such case, and at the time of such advance being made, the said commissioners shall deliver unto the treasurer of this province, of the bonds, which, by section twenty-five of the said act, they are authorized to issue, a sum equivalent in amount to such advance. And the said bonds shall forthwith enter into and form part of the said fund; and the interest accruing on the said bonds shall be deducted from the net earnings of the said road, and be paid into the credit of the said fund to form part thereof, so long as the said bonds remain in the hands of the treasurer of this province.

Interest accruing on such bonds.

The bonds may be pledged or negotiated, by the Lt.-Governor.

5. The Lieutenant-Governor in council may, at any time when it deems it expedient so to do, pledge by way of collateral security the said bonds for any advance of moneys made or required for the purposes of this act, or order the issue, negotiation and sale by the treasurer of this province of the aforesaid bonds or any part thereof, subject to such terms and conditions as the Lieutenant-Governor in council may devise or prescribe.

Security given by the Gov. for the payment of interest and principal.

6. It shall be lawful for the Lieutenant-Governor in council, by endorsement upon the said bonds or otherwise, as he may determine, to guarantee the due, faithful and punctual payment of the interest to accrue on the said

bonds, or the due, faithful and punctual payment of the interest and principal of the said bonds.

7. To avoid doubts, it is hereby declared that in the event of the said province advancing the whole or any part of the amount of the said bonds, the province shall be substituted to and subrogated in all the rights and powers, privileges and advantages granted or intended to be granted, vested, or authorized to be vested, in the holders of the said bonds or debentures, or any trustee or trustees for them ; and in case of the said bonds falling into the hands of the said treasurer, as hereinbefore set forth, all the powers, privileges and authority vested in the said commissioners respecting the said bonds, or which they are authorized or empowered to confer upon others, by virtue of sections 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, of 39 Vict., cap. 2, or by any other section of the said act, shall be vested in, and exercised by, the treasurer of this province, or conferred by him upon others, as fully and effectually as the said commissioners might or could have done ; and the same rank and priority in the revenues of the said road shall be preserved to and enure to the province, as if the said bonds had been sold to the said province by the commissioners.

Subrogation of the province in the rights vested in the holders.

Rights of the commissioners vested in the treasurer.

Rank allowed to the province.

8. Nothing in this act shall have the effect of amending or revoking the statutes in force by which any aid or subsidy has been granted to any railway company whatsoever.

Proviso.

9. This act shall come into force on the day of its sanction.

Act into force.

C. 8. III.

An Act to amend the law respecting subsidies in money made to certain railways, and for other purposes.

[Assented to 28th December, 1876].

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. The Lieutenant-Governor in Council, as soon as the following railway companies :  
 The Levis and Kennebec Railway Company ;  
 The Quebec Central Railway Company ;  
 And the St. Francis and Megantic International Railway Company,

Advances which may be made to certain railway companies.

**Conditions.** Shall have put the completed portions of their roads in good working order, to his satisfaction, may advance to them on account of their subsidy, 1o. a sum of \$1,000 for each mile thus completed, in addition to the sum of \$4,000 which they have received, or may now have a right to receive, and 2o. out of the whole balance of the subsidy granted to them for any other portion of their road which they may hereafter complete,—another sum of such an amount, and in such a manner, that this advance being made, there shall remain to be paid not less than \$2,000 per mile upon the portion of the road to be hereafter completed, and that in any case, no more than \$6,000 per mile shall be advanced.

**Proviso**

**The employ-  
ment of the  
advance of  
\$1,000 may be  
regulated by  
Lt.-Governor.**

2. The Lieutenant-Governor in Council may require that the sum of \$1,000 per mile, advanced to the companies mentioned in the preceding section, on the completed portions of their lines, be used to perfect such portions of line, and to pay whatever they may owe to the right of way, labor and rolling stock.

**Add. subsidy  
granted to  
cert. Railway  
Co's.**

3. The Lieutenant-Governor in Council may increase to \$4,000 per mile, the subsidy already granted to the following railway companies :

**M. P. and B.  
Railway.**

1. The Montreal, Portland and Boston Railway, upon a length not exceeding fifty-six miles, from the river St. Lawrence, at the town of Longueuil, to the frontier line of the province, *via* Chambly, West Farnham and Frelighsburg, provided that the company shall come to an agreement with the government, that freight and passengers may pass over their line at rates proportionate to those of the Quebec, Montreal, Ottawa and Occidental Railway ;

**W. and Magog  
Railway.**

2. The Waterloo and Magog Railway, upon a length not exceeding forty-three miles ;

**Laurentian  
R. R.**

3. The Laurentian Railway upon a length not exceeding fifteen miles.

**Case in which  
the grant to  
certain com-  
panies may  
be divided  
amongst  
other compa-  
nies.**

4. If any railway company now subsidized gives up its charter, or if the charter of any such company lapse between the present time and the 31st of December 1877, it shall be lawful for the Lieutenant-Governor in Council to apportion the amount of the subsidy to which such railway company was entitled, over the uncompleted parts of the roads of the four companies following, that is to say :

The Levis and Kennebec, forty-five miles,

The Quebec Central, fifty-two miles.

The St. Francis and Megantic International, fifty-three miles.

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The South Eastern, forty miles from Acton to Sutton junction ;

Provided that the amount of the subsidy so apportioned does not exceed \$1,500 per mile for the total length to be completed as aforesaid, and that the subsidy so apportioned added to that already acquired by each of such companies, does not in any case exceed a sum of more than \$6,000 for each mile of road so to be completed.

5. The Quebec and Lake of St. John Railway Company shall not be obliged upon the first section of its road, to repay the sum of \$48,171.20, received by it for the construction of a wooden railroad, but such repayment shall be made only upon the second section of such road, and the said company shall furnish security that it will repay such sum at the end of four years from the first day of January, 1877, if in the interval it has not made the said second section of its road.

6. The Missisquoi and Black River Valleys Railway company shall continue to have a right to the subsidy at present granted to it, until the first of December, 1877, provided that at the said date, the said company shall have made and completed at least ten miles of continuous and uninterrupted road with iron or steel rails.

7. The first section of the act of this province, 39 Vict., ch. 3, is amended :

1. By striking out the words : " at the rate of five per centum per annum " and substituting therefor the following words ; " at a rate not exceeding six per centum per annum ; "

2. By adding to such section the following words : " and the Lieutenant-Governor in Council may fix the place where such interest shall be paid. "

8. Section 2 of the same act is repealed, and the following substituted therefor :

" 2. Any payment heretofore made, or which may hereafter be made by this province on any subsidy accorded to any railway company by any act of this Legislature, still in force, may be returned to the provincial treasurer, and thereafter converted into a like guarantee for the part or portion of such subsidy returned, and from such date or dates as the directors of the company returning such subsidy may request. "

9. The subsidy granted by the present act shall be payable in the same manner as that granted by " the Railway subsidy act of 1875. "

Guarantee of sub-contracts of D. McDonald, by commissioners.

**10.** The commissioners of the Quebec, Montreal, Ottawa and Occidental Railway may guarantee the payment of the amounts of the sub-contracts made by Duncan McDonald, the contractor for the western portion of the said road, provided that such contracts are approved of by them.

Sums to be taken to complete Q. M. O. & O. R. R.

**11.** The said commissioners are authorized to take from the sum intended to meet the contingent expenses of the road, the sum necessary to complete the said railway.

Act in force.

**12.** The present act shall come into force on the day of the sanction thereof.

CAP. XXX.

An Act further to amend "The Quebec Railway Act, 1869."  
(32 Vict., chap. 51.)

[Assented to 28th December, 1876.]

**H**ER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

32 V., c. 51, s. 9, § 13, amended.

**1.** The thirteenth sub-section of the ninth section of "The Quebec railway Act, 1869," is amended by striking out the words "the judge" in the third line and replacing them with the words "any judge" and by adding after the word "district" in the third line, the following words : "or to any judge thereof exercising his functions therein."

§ 14, replaced.

**2.** The fourteenth sub-section of the ninth section of the same act is repealed, and the following is substituted in place thereof :

Judge interested or absent.

"**14.** Whenever any such judge is interested in any lands, required by the company, within the district in which he resides or is exercising his functions, or whenever there is no judge in such district, any judge of the superior court, residing or exercising his functions in any adjoining district, shall, on the application of the company or of the opposite party, exercise in any such case all the powers given by this section to the resident judge and to any judge exercising his functions within the district wherein the lands required lie, in cases in which he is not interested."

3. The sixteenth sub-section of the ninth section of the same act is repealed, and the following is substituted in place thereof: § 16, replaced.

"16. If the opposite party within the time aforesaid notifies to the company the name of his arbitrator, then the two arbitrators shall jointly appoint a third, or, if they cannot agree upon a third, then the judge of the superior court shall, on the application of the party or of the company (previous notice of at least two clear days having been given, to the other party,) appoint a third arbitrator." Third arbitrator.

4. The twenty-second sub-section of the ninth section of the same act is repealed, and the following is substituted in place thereof: § 22, replaced.

"22. If the sole arbitrator or the third arbitrator appointed by the judge or any arbitrator appointed by the parties, or the third arbitrator appointed by the two arbitrators, dies before the award has been made, or is disqualified, or refuses or fails to act within a reasonable time, then in the case of the sole arbitrator, or in the case of the third arbitrator appointed by the judge, upon the application of either party, previous notice of at least two clear days having been given to the other party, the judge, on being satisfied by affidavit or otherwise of such death, disqualification, refusal, or failure, shall appoint another arbitrator in his place; and in the case of any arbitrator appointed by the parties, the company and party respectively, may appoint an arbitrator in the place of the arbitrator so deceased or not acting, and if the company or party refuse or neglect to appoint such arbitrator, the judge, upon the application of the party or of the company, as the case may be (previous notice of at least two clear days having been given to the other,) on being satisfied by affidavit or otherwise of such death, disqualification, refusal, or failure and of the refusal or neglect to replace the arbitrator so deceased or not acting, shall appoint another arbitrator in his place; and in the case of a third arbitrator appointed by the two arbitrators, the provisions of the sixteenth sub-section of this section shall apply; but no recommencement or repetition of prior proceedings shall be required in any case." Arbitrators.

5. The preceding provisions shall not apply to cases of expropriations commenced before the coming into force of this act. Pending cases of expropriation.



## CAP. XXXI.

An Act to amend the act incorporating the Levis and Kennebec railway company.

[Assented to 28th December, 1876.]

Preamble.

**W**HEREAS the Levis and Kennebec railway company have presented a petition praying for an extension of the delay of eight years granted to such company by the act of this province, passed in the thirty second year of Her Majesty's reign, chapter fifty-four, for the construction of the said railway, from the town of Levis, from any point in Notre-Dame ward of the said town of Levis to the frontier between the county of Beauce and the state of Maine, one of the United States;

And whereas the said Levis and Kennebec railway company represent in their petition, that they have encountered serious obstacles in the construction of such road;

Whereas the said Levis and Kennebec railway has been actually built and placed in operation, from a certain point in the parish of Notre-Dame de la Victoire, to another point, a little on this side the church of St. Joseph, in the county and district of Beauce, a distance of about forty-five miles;

Whereas it is opportune to authorize the said company to traverse the said town of Levis by passing through the villages of Bienville, Lauzon and the parish of *St. Joseph de Levis*, to reach the lower parts of the cliff in the said town of Levis;

Whereas an additional delay of six years is necessary to enable the company to complete and finish such road to the said frontier, between the county of Beauce and the state of Maine as aforesaid, and it is expedient to accede to the prayer of the petition and to grant an extension of the delay to construct the said Levis and Kennebec railway. Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

32 V., c. 54, s.  
2, amended.

Line.

S. 16.  
amended.

1. Section two of the act of this province 32 Vict., ch. 54, is hereby amended, by striking out in the fourteenth line thereof, the words after the words "from Notre-Dame ward aforesaid," and substituting the following therefor "traversing the said town of Levis, the village of Bienville and Lauzon and the parish of *St. Joseph de Levis* to reach the foot of the cliff in the said town of Levis"

2. Section sixteen of the same act is hereby amended, by substituting the word "fourteen" for the word "eight", in the fourth line of the said section.

## CAP. XXXII.

An Act to amend the act incorporating the Quebec central railway company.

[Assented to 28th December, 1876.]

**W**HEREAS the Quebec central railway Company have Preamble. by their petition represented that it is desirable to amend their act of incorporation, and it is expedient to grant the prayer of their petition; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows;

1. The time for the completion of the said railway and Delay extend- works connected therewith is hereby extended to five ed. years from the passing of this act.

2. This act, and the acts of this province 32 Vict, ch. Interpreta- 57, 36 Vict, ch. 47, and 38 Vict., ch. 45, shall be read and tion. interpreted as forming one and the same act for the purposes of the said railway.

3. This act shall come into force the day of its sanction. Act into force.

## CAP. XXXIII,

An act to change part of the location of the lake Champlain and St. Lawrence railway junction company, to extend the delay for the completion of the works of the line, and to define and fix more clearly the absolute mortgages and rights of privilege of the bond-holders of the said company.

[Assented to 28th December, 1876.]

**W**HEREAS the lake Champlain and St. Lawrence Preamble. railway junction company have by their petition prayed to be authorized to change part of the location of their line, to extend the delay for the completion of the works of the line, and to define and fix more clearly the absolute mortgages and rights of privilege of the bond-holders of the said company, and it is expedient that the prayer be granted; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

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1. It shall be and it is lawful for the said company to deviate from the line fixed in its charter between Farnham and Philipsburg, so as to facilitate its junction with the railways of the United States.

If the corporation of the municipality of the township of Stanbridge, before the first day of the month of June eighteen hundred and seventy-seven, subscribes for shares in the capital stock of the company to the amount of fifteen thousand dollars, this latter shall be obliged to make its line pass through the places called Bedford and Standbridge station; provided always that the southern terminus shall not be changed.

The location of the line of the said railway, between St. Hyacinthe and St. Hugues, shall be and is fixed at the place determined upon in the contract between the company and the contractor for the works on the said road, so that after having crossed the line of the Grand Trunk Railway in the direction of Ste. Rosalie, it shall pass in the neighbourhood of the Roman Catholic church in the latter parish, thence towards the third range and along this range in St. Simon until near the line dividing the latter parish from that of St. Hughes, and thence in the direction of the Roman Catholic church of the parish of St. Hugues, passing between the River Yamaska and the latter church.

35 V., c. 31, s.  
2, amended.

Section 2 of the act of this province 35 Vict., ch. 31, is in consequence hereby amended and the present section is deemed to form part thereof.

s. 15, amended.

2. The fifteenth section of the said act is amended, by substituting the word "seven" for the word "six," in the second line of the said section.

Guarantee of  
principal and  
interest of  
debentures.

3. The due payment of the principal and interest of the debentures which the said company have been heretofore authorized to issue, may be secured by a deed of mortgage or hypothec on their railway, and on the revenues, lands, buildings, equipments and other property thereof acquired or to be acquired by the said company; and the said company may and shall be bound, from time to time, to execute any deed or other instrument that may be requisite to perfect the charge intended to be created by such mortgage or hypothec, and to perfect the security thereby intended to be given, and to enable such charge to be made completely effectual; the whole, however, without prejudice to the rights of any unpaid proprietor of land taken or to be taken for the right of way or for stations.

Proviso.

4. Any such mortgage or hypothec may be made to <sup>Trustees.</sup> any corporation or to any person or persons in the United Kingdom or in the Dominion of Canada, as trustees, for the holders, from time to time, of the said debentures; which debentures shall refer to such mortgage or hypothec and shall be countersigned by the trustees, or one of them, or by some person on their behalf duly authorized by them in that behalf, for the purpose of identifying such debentures as those which are to be secured by such mortgage or hypothec.

5. Any such deed, bearing mortgage or hypothec, may <sup>Stipulation of</sup> contain an authority to the trustees, to take possession of <sup>mortgage.</sup> the railway, lands and other property thereby charged or hypothecated, and to work and sell them, upon default by the company to pay the principal and interest of the debentures to be secured thereby, or any part thereof, within such delays respectively and upon such terms and conditions as the company shall agree upon, and as shall be expressed in such deed.

6. Any such mortgage or hypothec, upon being duly <sup>Registration.</sup> registered by means of a declaration of the company showing the amount of the debentures issued by them, in the registry offices for all the registration divisions in which shall be situate any part of the railway, lands or other property which may be affected thereby, and without the registration of any of the debentures issued, shall, for the purposes of this act and the loan to be made in <sup>Priority of</sup> virtue thereof, take effect in priority from the date of its <sup>mortgage.</sup> registration without reference to the date or dates at which the debentures to be secured thereby shall be issued and at whatever subsequent date or dates they <sup>Rank of de-</sup> shall be so issued; except as otherwise provided in such <sup>bentures.</sup> deed, all the debentures to be issued upon such security, shall be secured *pari passu*, and without any preference of one over the other in consequence of the respective dates of issue thereof, or for any other reason; the whole also without prejudice to the rights of unpaid propri- <sup>Proviso.</sup> etors as above mentioned.

7. The trustees may, at all times, in their own names, <sup>Powers of</sup> and without the necessity for any concurrence or co-ope- <sup>trustees.</sup> ration of any of the debenture holders, enforce all the rights which such deed of mortgage or hypothec, shall purport to confer upon them, in the same way, and to the same extent, as if such deed of mortgage or hypothec had been made to them for their own benefit, and they were the holders of all the debentures issued thereunder

and intended to be secured thereby ; and for that purpose they may, if necessary, bring or defend in their own names, any actions or suits in any court in the Province of Quebec.

Act in force. **8.** The present act shall come into force on the day of its sanction.

CAP. XXXIV.

An act to incorporate the St. John street railway company.

[Assented to 28th December, 1876.]

- Preamble. **W**HEREAS the persons hereinafter named have by their petition prayed that they may be incorporated under the title of "the St. John street railway company," for the purpose of constructing and operating a street railway in the upper town of the city of Quebec ; and whereas it is expedient to grant the prayer of the petitioners ; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :
- Corporation. **1.** Andrew Thomson, David Alexander Ross, John Henri Ross Burroughs, Cyrille Tessier, Zephirin Vandry, William Alexander Griffith, and such other persons as shall become share-holders of the said company, are hereby constituted a body politic and corporate, for the purposes herein mentioned, by the name of "the St. John street railway company."
- Name.
- Capital stock. **2.** The capital stock of the company shall be fifty thousand dollars in shares of fifty dollars each.
- Commencement of operations. **3.** The company may commence operations and exercise the powers hereby granted, so soon as twenty-five thousand dollars of the said capital stock shall be subscribed, and twenty per cent of the amount subscribed paid up.
- Construction of road. **4.** The company are hereby authorized and empowered to construct, complete, maintain and, from time to time, remove and change, a single track iron railway, with the necessary side-track, switches, turnouts, and other appliances for the passage of cars, carriages, and other vehicles, adapted to the same, upon and along Buade street, the upper-town market place, Fabrique and St. John streets, as far as the St. Foy turnpike gate in the banlieue of Quebec, and upon and along any of the streets and high-
- Lines.

ways in the upper town of the city of Quebec, for which permission has been or shall be obtained from the corporation of the said city of Quebec, and subject to the limitations set forth and provided by the by-laws granting such permission; and to take, transport and carry passengers upon the said railway; and to construct and maintain all necessary works, buildings and conveniences therewith connected; and to use or occupy any of the said streets or highways aforesaid, as shall be required for the purpose of their railway track, and the running of their cars and carriages; but the company shall not be permitted to use steam power upon the said railway.

Previous permission.

Steam prohibited.

5. The rails of the railway shall be laid flush with the streets and highways, and the railway track shall conform as far as possible to the grades of the same, so as to offer the least possible impediment to the ordinary traffic of the said streets and highways; and the gauge shall be such that the ordinary vehicles now in use may travel on the said tracks, which it shall be lawful for them to do, provided they do not interfere with or impede the running of cars of the company; and in all cases any carriage or vehicle on the track shall give place to the cars by turning off the track.

Mode of construction.

Width.

Other vehicles.

6. The affairs of the company shall be under the control of, and shall be managed and conducted by a board of seven directors, of whom three shall be a quorum, and each director shall be a stock-holder to an amount of not less than five hundred dollars, and shall be elected at the annual general meeting of the company, which shall be held on the first Monday in February in every year, at the office of the company; and all such elections shall be by ballot by plurality of the votes of the stock-holders sent; each share upon which all instalments due have been paid, shall give one vote, and stockholders, not personally attending, may vote by proxy; and the directors chosen shall, as soon as may be, elect one of their number to be president, which president and directors shall continue in office one year and until their successors shall be elected; after the first election of directors to be made under this act, no share or shares of the capital stock of the said company shall confer a right of voting, which shall not have been held for three calendar months at the least prior to the day of election, or of the general meeting when the votes of the stock-holders are to be given.

Board of directors.

Quorum.

Qualification.

Date.

Ballot.

Votes.

Proxy.

President.

Voters.

7. An exact statement in detail of the affairs, debts, and assets of the company, up to the thirty-first day of December

Annual statement.

ber in each year, shall be submitted to the shareholders at each annual meeting, and the said statement shall be entered in the books of the said company, and may be examined by every stock-holder.

First election  
of directors.

8. As soon as the required amount of stock shall have been subscribed, a meeting of the shareholders shall be convened by public advertisement inserted for nine clear days immediately preceding such meeting, in at least one English and one French newspaper published in the city of Quebec, to elect the directors of the said company, and the directors then chosen shall continue in office until the first Monday of February.

Notice.

Powers of  
directors.

By-laws.

9. The directors of the company shall have full power and authority to make, amend, repeal and re-enact all such by-laws, rules, resolutions and regulations, as shall appear to them proper and necessary, touching the well ordering of the company, the acquirement, management and disposition of its stock, property and effects, and of its affairs and business, the auditing of its accounts, the entering into arrangements and the execution of such contracts with the said city, the declaration and payment of dividends out of the profits of the company, the form and issuing of stock certificates, the calling of special and general meetings of the company, the appointment, removal and remuneration of all officers, agents, clerks, workmen and servants of the company, the fares to be received from persons transported over the railway, or any part thereof, and generally to do all things that shall be necessary to carry out the object and exercise the powers incident to the company; provided always, that the by-laws of the said company and all amendments thereto, shall be approved by a majority of the stock-holders present in person or proxy, at any meeting of the company convened for that purpose; and provided further that the corporations of the municipalities, through which the said railway may pass, shall have full power, by by-law on that behalf, to enforce against the said railway company and all others, such rules and provisions as the said corporations may think necessary, to regulate the construction and use of the said railway so as to prevent all avoidable interference with the ordinary traffic and use of the streets along which the said railway may pass.

Generally.

Approval.

Powers of  
corporations.

Default of  
election.

10. If the election of directors be not made on the day appointed by this act, the company shall not for that reason be dissolved; but the stock-holders may hold the election on any other day in the manner provided for by



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any by-law passed for that purpose ; and all acts of directors until their successors are elected, shall be valid and binding upon the company.

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**11.** The company may purchase, lease, hold, acquire and <sup>Property.</sup> transfer all real or personal estate necessary for carrying on the operations of the company.

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**12.** The directors of the company may, from time to <sup>Loans.</sup> time, raise or borrow for the purposes of the company, any sum or sums not exceeding in the whole the amount of the paid up capital, provided the amount to be so borrowed <sup>Limit.</sup> do not exceed fifty thousand dollars, by the issue of bonds or debentures, in sums of not less than one hundred <sup>Debentures.</sup> dollars, on such terms and conditions as they may think <sup>Conditions.</sup> proper, and may pledge or mortgage all the property, tolls and income of the company, or any part thereof, for the repayment of moneys so raised or borrowed and the interest thereon ; provided always, that the consent of two-thirds <sup>Consent</sup> in value of the stock-holders of the company, then present <sup>required.</sup> personally or by proxy, shall be first had and obtained at a special meeting to be called and held for that purpose, and the object of such meeting shall be stated in the notice convening the same.

**13.** The city of Quebec and the said company, are res- <sup>Powers of Co.</sup> pectively hereby authorized to make and enter into any <sup>and of incorpo-</sup> agreements or covenants relating to the construction of <sup>ration of city</sup> the said railway, and of all the works connected therewith <sup>of Quebec.</sup> and the running of the cars, subject to the restrictions contained in this act ; to pass any by-laws, and (when all parties concur) to amend, repeal or re-enact the same for the purpose of carrying into effect any such agreements or covenants, and containing all necessary clauses, provisions, rules and regulations for the conduct of all parties concerned, and for enjoining obedience thereto, and for regulating the traffic and conduct of all persons travelling upon the streets and highways through which the said railway may pass ; provided always, that no such by-law or by- <sup>Proviso.</sup> laws shall infringe upon the privileges granted to the said company by this act.

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l for by

**14.** No shareholder of the said company shall be liable <sup>Responsibility</sup> under this act for any default or obligation of the company, <sup>of share-</sup> or for any engagement, claim, payment, loss, damage, <sup>holders.</sup> transaction, matter or thing soever relative or attaching to the said company, beyond the amount of his share in the capital of the said company.

**Instalments.** Should any shareholder of the said company make default in the payment of any of the instalments payable by him upon his shares, or of any interest due by him, the directors may, at any time after the expiration of three months after the period fixed for the payment of such instalments, declare the said share or shares forfeited, whether the amount due has been sued for or not, and such share or shares shall then become the property of, and be at the absolute disposal of the said company.

**Confiscation of shares.**

**Transfer.** 15. No share of the said company shall be transferred until all instalments due or called in thereupon shall have been paid, or until the said share shall have been duly declared forfeited for non-payment.

**Recovery of instalments.** 16. In case the said directors shall deem it more expedient in any case to enforce the payment of unpaid instalments than to forfeit the share therefor, the company may sue for and recover the same from the shareholder with interest thereon, in an action of debt, in any court having civil jurisdiction to the amount claimed; and in any such action it shall be sufficient to allege that the defendant is the owner of one or more shares, stating the number of shares, and is indebted to the company in the sum to which the calls in arrear may amount; and to maintain such action, it shall be sufficient that the defendant has signed some book or paper by which his subscription for such share shall appear, and the number of calls in arrear shall have been duly made.

**Suits.**

**Proof.**

**Obstruction of road.** 17. Any person wilfully obstructing the said railway by leaving any waggon, cart, carriage, or other incumbrance thereon, or by refusing or neglecting to give place to the cars, shall upon conviction before the recorder for the city of Quebec, or judge of the sessions of the peace for the city of Quebec, or before any justice of the peace in or near the place where the injury has been done, be sentenced to pay a fine of not more than twenty dollars, nor less than two dollars, and in default of payment to an imprisonment not exceeding three months, for each and every such offence; this clause shall in no wise affect the right of the company to recover from the offender in the usual way any damage sustained.

**Fine.**

**Imprisonment.**

**Delay.** 18. This act shall be void unless one mile at the least of the said railway be constructed and put in use, within four years from the passing of this act.

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CAP. I.

An Act respecting the consolidated railway fund of this Province (40 Vict., Cap. 2.)

[Assented to 9th March, 1878.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. The lieutenant-Governor in Council may, at any time when he deems it expedient so to do, pledge, by way of collateral security, the municipal bonds or debentures, or any part of them belonging to the consolidated Railway Fund of the province of Quebec, for any advance of money made or required for the purposes of enabling the Commissioners of the Quebec, Montreal, Ottawa and Occidental Railway to construct the said railway, or for any of the purposes of this act or of the acts of this Province 39 Vict., cap. 2, and 40 Vict., cap. 2; or may order the negotiation and sale, by the Treasurer of this Province, of the aforesaid bonds or debentures or any part thereof, subject to such terms and conditions as he may devise or prescribe.

2. It shall be lawful for the Lieutenant-Governor in Council, if he shall deem it expedient so to do, to authorize the Treasurer of this Province, to contract a loan, and to that end, to issue, sell, and negotiate bonds or debentures of the Province, to an amount not exceeding three millions of dollars; but in such case such last bonds or debentures shall be substituted to and shall take the place and stead of the loan of three millions of dollars which the said Railway Commissioners were by 39 Vict., cap. 2, sec. 25, authorized to raise, and of the bonds or debentures which the said Commissioners were by the said act authorized to issue.

3. The proceeds of the sale of such substituted bonds or debentures shall form part of the consolidated Railway Fund, so far as it is necessary to repay or recoup the said fund for any advance made under the authority of 40 Vict., cap. 2, section 4.

4. It shall be the duty of the Lieutenant-Governor in Council, before making any such issue, to arrange with the holders of bonds of the said Railway Commissioners, theretofore issued, for the surrender and cancellation of

the same, on such terms as he shall deem just and expedient.

Privilege,  
priority, &c.,  
of such issue  
on the Q. M.  
O. & O. Rail-  
way revenues.

5. Any issue of bonds or debentures of this Province, issued under the authority of this act, shall take, hold and have the same privileges and advantages, and the same rank and priority, on the revenues or rental of the said Quebec, Montreal, Ottawa and Occidental Railway, as the bonds or debentures of the said Railway Commissioners would have taken and held under the authority of the said act, 39 Vict., cap. 2; and the net revenue or rental of the said road shall be used and applied, conformably to the terms of the said act, in the payment and discharge of the interest and sinking fund, occurring or arising from said substituted bonds or debentures.

Form, &c., of  
the bonds.

6. Such substituted bonds or debentures shall be issued in the form, and according to the mode and conditions which the Lieutenant-Governor in Council shall deem expedient to prescribe in the interests of the province.

When pay-  
able; inter-  
est; sinking  
fund.

7. Such bonds shall be payable in thirty years, in currency or sterling, and shall bear interest at a rate not exceeding five per centum per annum. A sinking fund of one per centum per annum shall be established for their redemption.

Advance of  
\$3,116,956,  
to the Comr.,  
authorized.

8. It shall be lawful for the Lieutenant-Governor in Council, if he shall deem it expedient so to do, to advance to the said Railway Commissioners, out of the Consolidated Railway Fund of the Province of Quebec, a sum of three million one hundred and sixteen thousand, nine hundred and fifty-six dollars; and such advance shall be repaid to the said Consolidated Railway Fund so soon as practicable.

Railway fund  
proving in-  
sufficient.

9. In the event of the said Consolidated Railway Fund, from any cause, proving insufficient to meet any subsidy payable to any railway entitled thereto, under the provisions of any act of the legislature, such deficiency shall be made good and subsidy paid out of the Consolidated Revenue Fund of this Province.

Rights of  
municipalities  
safe.

10. Nothing in this act contained shall be construed to affect the rights of the municipalities or corporations mentioned in schedule A of the Act 39 Vict., cap. 2, to be paid interest upon their subscriptions according to law.

CAP. II.

An Act to further amend the law respecting subsidies in money made to certain railway companies.

[Assented to 9th March, 1878.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. The Lieutenant-Governor in Council may allow to the following companies, viz :

- The Levis and Kennebec Railway Company ;
- The Quebec Central Railway Company ; and
- The St. Francis and Megantic International railway ;

Advance of \$1000 to certain Cos., authorized.

From and out of the balance of their subsidy, an advance of one thousand dollars for each mile of road which shall be completed by them thereafter ; provided that there remains thereafter one thousand dollars for each mile of the unconstructed portion of their roads. Restriction.

2. No advance, under the provisions of the present act, shall be made to the companies mentioned in the preceding section, for that portion of their roads on which they have an advance of two thousand dollars per mile, under the provisions of the act 40 Vict, chap. 8. Other restriction.

3. The Lieutenant-Governor in Council, as soon as the Missisquoi and Black Rivers Valley Railway Company shall have put the partially completed portion of their road in good working order, and that to his satisfaction, may advance to them, on account of their subsidy, a sum of \$1500 for each mile of road thus completed, in addition to the sum of \$2,500 for each mile which they now are entitled to receive and have already in part received, and out of the whole balance of the subsidy granted to them for any other portion of their road which they may hereafter complete, another sum of such an amount, and in such manner, that this advance being made, there shall remain to be paid not less than \$1000 per mile upon that portion of the road to be hereafter completed ; and provided that in any case no more than \$4000 shall be paid for any mile of such completed road. Advance to the Missisquoi and Black Rivers Valley Railway Company, authorized. Restriction.

4. This act shall come into force on the day of its sanction. Act in force.

## CAP. XIX.

An Act to amend the act of this province 32 Vict., cap. 51, respecting railways.

[Assented to 9th March, 1878.]

**H**ER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Sections added to 32 V., c. 51.

1. The following sections are added to the act of this Province, 32 Vict., Cap. 51, and shall be inserted after section 9 :

Right of owner to proceed by way or arbitration.

"9a. If the company has taken possession of any land, or performs any work thereon or has removed materials therefrom, without the amount of compensation having been agreed upon or determined by arbitration, the owner of the land or his representative, may, himself, cause the valuation of the land or of the materials taken, to be made without prejudice to other legal recourse, if possession has been taken without his consent.

Notice to that effect.

For such purpose he shall cause to be served, at the office of the company or on its president, a notice stating :

1. A description of the land or materials taken ;
2. The price asked for such land or materials ;
3. The name of a person who shall be appointed his arbitrator, if his demand is not granted."

Proceedings.

"9b. Sub-sections 14, 15, 16, 17, 18, 20, 21, 22, 24, 25 and 26 of section 9 of the act 32 Vict., cap. 51, shall apply *mutatis mutandis* to the proceedings taken by the owner in virtue of the preceding section.

If the amount adjudged be not less than that demanded, the costs of arbitration shall be paid by the company ; otherwise they shall be borne by the owner. In either case the costs shall be taxed by the judge, if the parties do not agree upon the amount thereof."

## CAP. XLVII.

An Act further to amend the Act incorporating the City Passenger Railway Company of Montreal and to cancel the unpaid stock thereof.

[Assented to 9th March, 1878.]

Preamble.

**W**HEREAS the Montreal City Passenger Railway Company have, by their petition, represented that certain amendments are required to the charter of the said

company and that the subscription of eleven thousand nine hundred and sixty-nine shares of the stock of the company, made under a resolution of the shareholders, passed on the second day of November, one thousand eight hundred and seventy-six, is unnecessary for the continuance of its business or the payment of its debts, and constitutes a source of embarrassment to the company in the management of its affairs; and have prayed that such amendments may be made and that the said subscriptions of stock therein may be cancelled, and it is expedient to grant the prayer of their petition; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. The said company may, by by-law, change the mode of paying the dividends of the company, instead of a percentage upon the capital paid up, to a fixed sum per share or in such other manner as it may deem expedient, but dividend shall be paid except out of net earnings or profits.

2. The said subscription of eleven thousand nine hundred and sixty-nine shares of the stock of the company (save and except with respect to shareholders who may take advantage of the following proviso,) is hereby cancelled and annulled, and a notice of such cancellation shall be transmitted through the post office to each of the subscribers thereof by registered letter; provided always, that any shareholder who desires to pay up the shares held by him under the said subscription, shall be at liberty to retain such shares, upon notifying the company of his intention so to do, within thirty days next after such notice of cancellation shall have been mailed to him, and thereafter he shall be liable for all calls upon such shares made by the board of directors of the said company, according to the conditions upon which such calls may be made.

3. This act shall come into force on the day of its sanction.

CAP. XLVIII.

An Act to incorporate "The St. Lawrence, Lower Laurentian and Saguenay Railway Company."

[Assented to 9th March, 1878.]

WHEREAS Eugène H. Trudel, M.D., Georges Hyacinthe Dumesnil, Arthur Gagnon, Jacques Fran-



chère, M.D., J. Alphonse Ouimet, advocate, Charles F. Beauchemin, Flavien G. Boutillier, Emile Dumais and Théophile Perrault and others have, by their petition, asked for the incorporation of a company to construct the railway hereafter described, and that the construction of the said railway would be of great advantage to the trade and prosperity of the different townships and districts through which it must pass; and whereas it would prove highly useful and would open communication with a vast extent of country which is now deprived of such communication, and thereby considerably facilitate its settlement; and whereas it is just to grant the prayer of the said petition; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Company  
Incorporated.

1. Eugène H. Trudel, M.D., Georges Hyacinthe Dumesnil, Esq., Arthur Gagnon, Jacques Franchère, J. Alphonse Ouimet, Charles F. Beauchemin, Flavien G. Boutillier, Emile Dumais and Théophile Perreault and such other persons and corporations as shall become shareholders in the company hereby incorporated, shall be and are hereby constituted a body politic and corporate by the name of

Name of corporation.

"The St. Lawrence, Lower Laurentian and Saguenay Railway Company."

Location of  
the road.

2. The said company and their servants shall have full power and authority to lay out, construct, make and finish a single or double railway, with iron or steel rails, of such width and gauge as the company may judge most advantageous, from the waters of the St. Lawrence, at any point between Batiscan and the city of Three Rivers, both inclusive, to any point on Lake St. John, in the county of Chicoutimi.

Capital stock.  
Increase.

3. The capital stock of the said company shall be four million dollars, (with power to increase the same as provided by the Quebec Railway Act of 1869, and the amendments thereto,) to be divided into forty thousand shares of one hundred dollars each, which amount shall be raised by

Appropriation  
of moneys  
raised.

the persons hereinbefore named and such other persons or corporations as may become shareholders in the said stock, and the money so raised shall be applied in the first place to the payment of all fees and disbursements incurred in the procuring and the passing of this act, and for making the surveys, plans and estimates connected with the railway, and the rest and remainder of the said money shall be applied towards making and maintaining the said railway and other purposes of this act; provided, always, that until the preliminary expenses be paid out of the capital

Preliminary  
expenses payable  
by municipalities.

Charles F. ... petition, ... of the trade ... districts ... d prove ... a vast ... commu- ... tlement; ... said peti- ... vice and ... lows :

stock of the company, it shall be lawful for the municipal-  
ity of any county, city, town or township, interested in  
the railway or otherwise, to pay out of the general funds  
of such municipality such preliminary expenses, which Re-imburse-  
ments shall be refunded or paid back to such municipality ment.  
by the said company.

4. Eugène H. Trudel, M.D., George Hyacinthe Dumes- First directors.  
nil, Esq., Arthur Gagnon, Jacques Franchère, M.D., J.  
Alphonse Quimet, Advocate, Charles F. Beauchemin,  
Flavien G. Boutillier, Emile Dumais and Théophile Per-  
rault, are hereby constituted and appointed the first board  
of directors of the said company; and any five thereof Quorum.  
shall form a quorum for the transaction of business.

5. The said directors are hereby empowered to take all Powers of  
necessary steps for opening the stock books, for receiving said directors.  
the subscriptions of parties desirous of becoming share-  
holders in the company; and all persons subscribing to Limitation of  
the capital stock of the said company shall be considered the responsi-  
bility of  
proprietors and shareholders in the same, but shall be sharehold-ers.  
responsible only to the extent of their stock therein.

6. All manufacturing companies or other companies, Companies  
carrying on business in whole or in part within the limits and muni-  
cipalities may  
of the counties traversed by the said line of railway, subscribe.  
whether they be incorporated by a special or general act,  
and the municipal corporations may subscribe or otherwise  
acquire, and hold any number of shares in the capital stock  
of the said company and dispose of them in ar. manner  
they may deem advisable.

7. When and so soon as one tenth part of the capital First assembly  
stock shall have been subscribed as aforesaid, and as soon of sharehold-  
ers.  
as one tenth part of the shares subscribed shall have been  
paid, the directors or three of them may call a meeting of  
the shareholders, at any place in the city of Montreal, the  
principal place of business of the said company, and at any  
time they may deem it proper, by giving at least fifteen  
days notice, in both languages, in one or more newspapers Notice.  
published in each of the judicial districts through which  
the said railway is to pass, at which general meeting and  
at the annual general meetings in the following sections  
mentioned, the shareholders present, either in person or  
by proxy, shall elect nine directors in the manner and Election of  
qualified as hereinafter prescribed; which said nine direc- 9 directors.  
tors shall constitute a board of directors, and shall hold Duration of  
office until the first Tuesday in March in the year following their office.  
their election, or until the election of their successors.

- Annual election of directors.** 8. On the said first Tuesday in March, and on the said first Tuesday in March in each year thereafter, there shall be holden a general meeting of the shareholders of the said company, at the principal office of the said company, at which meeting the shareholders shall elect nine directors for the then ensuing year, in the manner and qualified as hereinafter prescribed, and public notice of such annual general meeting shall be published in both languages during fifteen days before the day of election, in one or more newspapers published in each judicial district through which the line of the said railway shall pass, and the elections of directors shall be by ballot, and the persons so elected shall form the board of directors. As regards the calling of the said meetings, the said company may take advantage of the latitude allowed by the third section of the Act 38 Victoria, chapter 40; provided, always, that the shareholders residing in foreign parts shall have been called by notice forwarded by registered letter sixty days before such meeting.
- Notice.**
- Ballot.**
- 38 V., c., 40, s. 3, to apply. **Notice to shareholders residing in foreign parts.**
- Quorum.** 9. Five directors shall form a quorum for the transaction of business, and no shareholder shall be elected a director of the said railway company, unless he be the holder and owner of at least ten shares in the capital stock of the said company, and have paid up all the calls upon the said shares.
- Qualifications of directors.**
- Deeds and conveyances of lands.** 10. All deeds and conveyances of lands to the said company for the purposes of this act, in so far as circumstances will admit, may be in the form of the schedule A to this act subjoined, or in any other form to the like effect; and for the purpose of due enregistration of the same, all registrars, in their respective counties, shall be provided, by and at the expense of the said company, with a book containing copies of the form given, in the said schedule A, a copy to be printed on each page, leaving the necessary blanks for each conveyance; and upon production of the said deeds and the proof of the due execution thereof, they shall enter and register them, without any memorial thereof, in the said book and shall minute such enregistration thereof on the said deeds; and registrars shall receive, for all fees on such enregistration, fifty cents and no more, and such enregistration shall be deemed to be valid in law, any act or provision to the contrary notwithstanding.
- Enregistration.**
- Special book.**
- Entry without any memorial.**
- Fees.**
- Power of issuing bonds, Special authorization.** 11. The directors of the said company, upon being duly authorized thereto by the holders of two thirds of the shares of the said company, present at any annual meeting in the month of March for the election of

directors, or at any special meeting called for that purpose, whereof fifteen days notice shall have been given in both languages, in one or more newspapers published in the judicial districts through which the said railway shall pass, or according to the Act 38 Vict., chapter 40, at which meeting the shareholders residing in foreign parts, notified of such meeting in the manner prescribed for such shareholders in section 9 hereinabove set forth, may be represented by proxy or transmit their vote by registered letter, directed to the president of the said company, which said vote shall be counted and acknowledged as if it had been given in person, shall have power to issue their bonds, made and signed by the president and vice-president of the said company, and countersigned by the secretary and treasurer, and under the seal of the said company, for the purpose of raising money required for the undertaking, and such bonds shall be considered to be privileged claims upon the property of the said company, and shall bear hypothec upon the said railway, without enregistration; provided that the whole amount raised by such bonds shall not exceed four million dollars.

Signatures ;  
seal.

Privilege and  
security.

Limited to  
\$4,000,000.

12. The said company shall have power and authority to become a party to promissory notes and bills of exchange for sums not less than one hundred dollars; and any promissory note endorsed by the president or vice-president of the said company and countersigned by the secretary and treasurer, authorized by a quorum of the board of directors, shall be binding on the said company; and every such promissory note or bill of exchange, so made, shall be presumed to have duly been made under the necessary authority until proof of the contrary, and it shall not be necessary in any case to affix the seal of the said company on such promissory note or bill of exchange; neither shall the president, or vice-president, secretary and treasurer of the said company be held individually responsible for the same, unless such promissory note or bill of exchange have been issued without the authority of the board of directors, as hereby provided and enacted.

Promissory  
notes and bills  
of exchange.

13. The directors or the majority of them may, from time to time, replace one or more directors deceased or refusing to act as a director, by choosing among the shareholders one or more persons, holders and owners of a sufficient number of shares to qualify them to act as directors as above mentioned; and the said directors so named shall hold office until the next general meeting in March following.

Vacancies to  
be filled up.

Agreements  
with other  
railway com-  
panies.

14. It shall be lawful for the said company to enter into any agreement with any other railway company for the location of the said railway in whole or in part, or for the use of the said railway at any time or for any period of time to such other company, or for the hiring from such other company any railway or a part thereof or the use thereof; or for the leasing or hiring of any locomotive, tenders, or other movable property, and generally to make any agreement or agreements with any other company, touching the use by one or the other or by both companies, of the movable property of either or both, in whole or in part, or touching any service to be rendered by the one company to any other and the compensation therefor; and any such agreement shall be valid and binding and shall be enforced by courts of law, according to the form and tenor thereof.

Delay to com-  
mence or com-  
plete the road.

15. The said railway shall be commenced *bona fide* within two years and a half, and completed within ten years from the passing of this act.

#### SCHEDULE A.

##### DEED OF SALE.

Know all men by these presents that I, A. B., of  
in the County of  
for and in consideration of the sum of  
to me paid by "The St. Lawrence, Lower Laurentian and  
Saguenay Railway Company," which I acknowledge to  
have received, grant, bargain, sell and convey unto the  
said St. Lawrence, Lower Laurentian and Saguenay Rail-  
way Company, their successors and assigns, all that tract  
or parcel of land (*describe the land*) the same having been  
selected and laid out by the said company for the purposes  
of their railway, to have and to hold the said land and  
premises unto the said company, their successors and  
assigns for ever.

Witness my hand and seal, this                      day of  
one thousand eight hundred and                      .

Signed, sealed and delivered in presence of

(L. S.)

A. B.

## CAP. XLIX.

An Act to incorporate the Montreal Island Railway Company.

[Assented to 9th March, 1878.]

**W**HEREAS John Henry Pangman, the Honorable Preamble. Joseph Adolphe Chapleau, William Oliver Buchanan, John Lewis Cassidy, William Duncan McLaren, the Honorable Louis Beaubien, William Busby Lamb, Jackson Rae and Joseph Bonham Clay, have, by their petition prayed that they, as well as their legal representatives and such other persons or corporations as may, together with them, become shareholders in the said company, be incorporated for the purpose of constructing a railway from Mount Royal Avenue, in the parish of Montreal, on the eastern side of St. Lawrence main street or the continuation of the said street, to the River des Prairies, in the parish of Sault au Recollet, and the working of said railway when completed; and whereas it is expedient to grant the prayer of the said petition; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. The persons above mentioned, together with such Corporation other persons as may become shareholders of any share constituted. or shares in the company to be created under this act, shall be and are hereby constituted and declared to be a body politic and corporate by and under the name of the "Montreal Island Railway Company" (*La Compagnie du Chemin de Fer de l'Île de Montréal*), and they Name; seal; general pow-  
ers. shall constitute such corporation, and shall have perpetual succession, and a corporate seal, with power to alter and modify the same at pleasure, and to plead and be impleaded, answer and be answered unto, defend and be defended in all courts of justice; to purchase and hold lands and real estate; and also to sell, alienate, exchange or lease such lands and real estate.

2. The company is hereby authorized to lay out and Draught of  
the road. construct, make and finish, run and work an iron railway from Mount Royal Avenue, in the parish of Montreal on the eastern side of St. Lawrence main street or the continuation of the same, to the River des Prairies, in the parish of Sault au Recollet, and to such other points in the Island of Montreal, on or in the vicinity of the said River des Prairies, as the future wants of the community may warrant; and for the working of the said railway it



- Mode of locomotion; double track.** shall be lawful for the said company to use dummy engines, or horse power on part or the whole of the said line; and the said company is also empowered to lay out and construct a double track on part or the whole of said railway, if deemed necessary by the directors; and the gauge of the said railway shall be of the breadth to be determined by the directors of the said company; and the building of the said railway may be commenced at such point, or points, within the above mentioned limits, as shall be decided upon by the directors of the said company.
- Breadth.**
- Expropriation.** 3. The said company is empowered to take and appropriate, for its stations or depots, where such stations or depots may be required for any of the works by this act authorized, such immovable property as may be required therefor, subject to the provisions of the Quebec Railway Act, 1869, in that behalf.
- Capital stock.** 4. The capital stock of the company shall be one hundred thousand dollars, to be divided into one thousand shares of one hundred dollars each, with the right of increasing the capital stock to two hundred thousand dollars when deemed advantageous by a majority of the stockholders of the said company. The said capital stock shall be raised by the persons and corporations who may become shareholders in such stock; and the said money so raised shall be applied, in the first place, towards the payment and discharge of all fees, expenses and disbursement for procuring the passing of this act, and for making the surveys, plans, and estimates, relating to the works hereby authorized, and all the remainder of such money shall be applied towards making, constructing, maintaining and working the said railway, and for no other purpose whatsoever incompatible with this act or the law.
- Increase.**
- Appropriation of money raised.**
- First directors; their powers.** 5. The said John Henry Pangman, the Honorable Joseph Adolphe Chapleau, William Oliver Buchanan, John Lewis Cassidy, William Duncan McLaren, the Honorable Louis Beaubien, William Busby Lambe, Jackson Rae and Joseph Bonham Clay, are hereby constituted and appointed the first directors of the company, and until others shall be appointed as hereinafter prescribed, they shall constitute the board of directors of the said company, with power to fill any vacancies that may occur therein, to open stock books and make a call on the shares therein subscribed, to call a meeting of subscribers for the election of directors in the manner herein-



after provided, and, with all such other powers as by the Quebec railway act, 1869, and the act thirty-first Victoria, chapter twenty-four, of the statutes of Quebec, are conferred upon such board of directors.

6. When and so soon as twenty five thousand dollars Beginning of operations. of the said capital stock shall have been subscribed, the company may enter upon its duties, and it shall be lawful for the said directors, or a majority of them, to call the first general meeting of the shareholders at such place First general meeting. and time as they shall think proper, giving at least not less than fifteen days public notice in two newspapers published in the city of Montreal, one in the French language Election of directors. and the other in the English language, and at such meeting such number of the directors as shall be fixed by a by-law of the company shall be elected to act until the annual general meeting, and until their successors shall have been appointed.

7. The annual general meetings shall be held on the first Thursday of June each year, after the first meeting Time of meetings and annual general elections. hereinabove mentioned, or on such a day and at such place as shall be appointed by any by-law, and at such meeting the shareholders there present shall, in the manner herein-after mentioned, elect such number of directors as shall have been prescribed by the by-laws of the company, which number shall not be less than five nor more than nine, and notice of such annual meeting shall be published one month previous in two newspapers published in the said city of Montreal, one in the English language and one in the French language, and in any other manner that may be prescribed by the by-laws of the company.

8. No person shall be chosen or appointed a director Qualification of directors. unless he holds, in his own name and right, shares in the capital stock of the said company to the amount of one thousand dollars, and have paid up all calls on such shares.

9. Three of the said directors shall form a quorum for Quorum. the transaction of business; and the said directors shall choose among themselves a president and a vice-president, President; Vice-president; managing director. and may employ one of their number as managing director who may have a salary to be determined by the board of directors.

10. Each shareholder shall be entitled to a number of Vote and right of voting. votes equal to the number of shares he shall have had in his own name at least two weeks prior to the time of voting; provided that no party or parties shall be entitled

to vote at the meetings of shareholders who shall not have paid up all the calls due upon his or their stock at least twenty four hours before the hour appointed for the meeting.

Notes and bills  
of exchange.

**11.** The said company shall have the power to become parties to promissory notes and bills of exchange for sums not less than one hundred dollars ; and any such promissory note made or endorsed, and any such bill of exchange drawn, accepted, or endorsed by the president, or the vice-president of the company, and countersigned by the secretary and treasurer, shall be binding on the said company, and in no case shall it be necessary to have the seal of the company affixed to any such promissory note or bill of exchange ; nor shall the president, vice-president or secretary and treasurer of the company, so making, drawing, accepting or endorsing any such promissory note or bill of exchange, be thereby subjected individually to any liability whatever.

Railway cross-  
ed or inter-  
sected.

**12.** It may and shall be lawful for the said company to cross, intersect, join and unite their railway with any other railway, at any point on its route, and upon the lands of such other railway, with the necessary conveniences for the purposes of such connection, and the owners of both railways may unite in forming such intersection, and in granting the facilities therefor ; and in case of disagreement upon the amount of compensation to be made therefor, or upon the point or manner of such crossing and connection, the same shall be determined by arbitrators to be appointed by one of the judges of the Superior Court for the Province of Quebec.

Agreements  
with the  
Montreal City  
Passenger  
Railway Co.

**13.** It shall be lawful for the said company and<sup>1</sup> the Montreal City Passenger Railway Company, to enter into any agreement or agreements for the use by the one or the other of said companies, or both companies at the same time, of the railroad of such other company or of any part thereof, or of any station, cars, or any other movable or immovable property of either of such companies, or of both such companies, or touching any service to be rendered by the one company to the other, and the price and compensation for such services, or for the construction of one or more branch roads, one or more tramways, in order to facilitate the junction of the railroads for both companies ; and any such agreement, executed in due form of law by the two companies, shall be valid and binding, subject, however, to any statute now in force in reference to the powers and obligations of the said mentioned Montreal City Passenger Railway.

14. The provisions of the general railway act of Quebec, Railway Act, in so far as applicable, shall apply to the company hereby (32 V., c. 51.) to apply. incorporated.

15. This act shall come into force on the day of its Act in force. sanction.

### CAP. III.

An Act to place the "Quebec, Montreal, Ottawa and Occidental Railway," under the control of the Commissioner of Agriculture and Public Works.

[Assented to 20th July, 1878.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. From and after the coming into force of the present Control of the act, the "Quebec, Montreal, Ottawa and Occidental Rail- Q., M., O. and way," shall be under the control of the Commissioner of O. R. Agriculture and Public Works, and the Commission created by the act 39 Vict., cap. 2, shall cease to exist.

2. All the powers and duties vested or assigned by the Certain powers transferred to Com. A. and P. W. Act 39 Vict., cap. 2, and by any other act or law, in or to the Quebec, Montreal, Ottawa and Occidental Railway Commissioners, shall be transferred to, vested in and exercised by the Commissioner of Agriculture and Public Works.

All contracts, bonds, agreements or engagements, Contracts, &c., carried out under his authority. fully entered into by or with the said Quebec, Montreal, Ottawa and Occidental Railway Commissioners as such, shall enure to the use of Her Majesty, and may be enforced and carried out under the authority of the Commissioner of Agriculture and Public Works, as if they had been entered into with Her Majesty under the authority of the Act 32 Vict., cap. 15, and its amendments.

3. The powers of the Commissioners hereby transferred Powers of the Com., added to the powers of the Com. A. and P. W. to the Commissioner of Agriculture and Public Works shall, as respects the said Quebec, Montreal, Ottawa and Occidental Railway and works, be in addition to any powers the said Commissioner may, as such, have with respect to the said Railway and works, as public works under the Act 32 Vict., cap. 15, and its amendments, and the said Commissioner may, in any case relating to the said railway and works, exercise any powers given him by

either of the acts hereinbefore cited and applicable to such case, not including however, the powers of expropriation for the said railway, which shall be exercised only under and in virtue of the provisions of "The Quebec Railway Act, 1869," and its amendments.

**Act in force.** 4. The present act shall come into force as soon as an order in council to that effect, shall have been passed and published.

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C A P. X V.

An Act to amend the Act incorporating the Lake Champlain and St. Lawrence Junction Railway Company.

[Assented to 20th July, 1878.]

**Preamble.** WHEREAS the Lake Champlain and St. Lawrence Junction Railway Company have, by their petition, represented that it is desirable to amend their Act of incorporation, and whereas it is expedient to grant the prayer of the said petition; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

**Delay for completion, extended.** 1. The delay granted for the completion of the line of the said company and of the works connected therewith, is hereby extended to three years from the twenty third of December next.

**Interpretation of certain acts.** 2. The present Act and the Acts of this Province 35 Vict., cap. 31; 36 Vict., cap. 48; 39 Vict., cap. 54; 40 Vict., cap. 32, shall be read and interpreted as forming one and the same Act, for the purposes of the said railway.

**Act in force.** 3. This Act shall come into force on the day of its sanction.

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C A P. II.

An Act to amend the Quebec Railway Act, 1869.

[Assented to 31st October, 1879.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

**s. 13, Railway act, 1869 amended.** 1. Section 13 of the said act is amended by adding the following words at the end thereof: "And after the thirty days following the general annual meet-

ing of the shareholders for the election of directors of the different companies, which will occur after the coming into force of this act, and on the date fixed by the charter of each company, it shall be the duty of the Board of Directors and of the Secretary, to call a general meeting of the Shareholders, whenever required so to do by a requisition in writing, signed by one or more Shareholders holding at least one half of the subscribed capital stock of the Company, for the transaction of such business as may be set forth in the said requisition, which business shall be mentioned in the notice calling the meeting.

General Meeting of shareholders for certain purposes.

2. Paragraph 2 of section 20 of the said act is amended by the addition of the words following :

§ 2 of S. 20, amended.

“ And in every train containing more than one second class car for the transportation of passengers, there shall be one second class car in which smoking shall be prohibited, and when a train contains only one second class car for the transportation of passengers, a part of such car shall be divided off, in which smoking shall be prohibited. ”

Smoking forbidden in certain cars.

CAP. L.

An Act to amend the Act of Incorporation of the “ St. Lawrence and Industry Village Railroad Company. ”

[Assented to 31st October, 1879.]

**WHEREAS** the St. Lawrence and Industry Village Railroad Company have, by their petition, prayed that the Act of the Legislature of the late Province of Canada, passed in the session thereof holden in the tenth and eleventh years of Her Majesty's reign, intituled : “ An Act to incorporate the St. Lawrence and Industry Village Railroad Company, ” be amended, and whereas it is expedient to grant the said petition ; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Preamble.

1. The first section of the said act is hereby amended : By striking out, in the twenty sixth and twenty seventh lines thereof, the words : “ The St. Lawrence and Industry Village Railroad Company, ” and substituting therefor the following : “ The Joliette Railway Company ; ”

S. 1 of act of 1879, amended.

By striking out in the forty fourth line thereof the words : “ The St. Lawrence and Industry Village Rail-

road," and substituting therefor the following: "The Joliette Railway ; "

By adding at the end of the said section the following sub-sections ;

Power to extend the road.

" The said Company shall also have power and authority to extend their said road from a point at or near its actual terminus, in the Town of Joliette, heretofore known as the Village of Industry, in the District of Joliette, and to or in the direction of St. Gabriel de Brandon, in the District of Richelieu ; and to construct, maintain and work such branches, in the same manner as the part of the said road already constructed, saving the modifications established by this act.

Power to sell or lease.

The said Company shall also have power and authority to sell or lease their said railway ; to purchase or rent any other railway connecting with theirs, on such terms and conditions as may be deemed advisable ; to make with any other railway, or navigation company, such traffic arrangements as may be found necessary and according to law.

Power to subscribe to stock of other companies.

The said Company shall also have power and authority to subscribe to the capital stock of any railway or navigation company, provided that such subscription be decided upon at a general meeting of the members of the said Company, and that it be made in such manner, on such conditions and for such shares, as shall be determined by the said general meeting.

Principal office.

The principal office of the company will be in the said Town of Joliette. "

S. 3 of said act, amended.

2. The third section of the said act is hereby amended, by striking out, in the third line thereof, the words : " whatever be the angle at which such line shall intersect the said highway, " and substituting therefor, the following : " unless leave has been obtained from the proper municipal or local authority for such purpose. "

S. 4., amended.

3. The fourth section of the said Act is hereby amended by striking out all that part thereof following the words : " such map or plan, " in the eleventh line of said section, and by substituting therefor the following sub-section :

Deposit of maps and plans, &c

" The said map or plan and book of reference shall be examined and certified by the Commissioner of Agriculture and Public Works or his deputy, and a duplicate thereof so examined and certified, shall be deposited in the office of the Department of Public Works, and the said Company shall be bound to furnish copies of such map or plan and book of reference, or such parts thereof



as relate to each district through which the railway is to pass, to be deposited in the office of the clerks of the peace for each of such districts respectively ; such map or plan and book of reference so certified, or a true copy thereof, certified by the Commissioner of Agriculture and Public Works, or by the clerks of the peace, shall be received as evidence in every court of law and elsewhere."

4. The fourteenth section of the said Act is hereby repealed, and the following substituted in lieu thereof:

"So soon as the said map or plan and book of reference shall have been deposited as aforesaid, and notice of its being so deposited shall have been given, during at least one calendar month, in at least one newspaper, if there be any, published in each of the districts through which the railway is intended to pass, it shall be lawful for the said Company, to apply to the several owners of, or parties hereby empowered to convey the lands through which such Railway is intended to pass, or which may suffer any damage from the taking of materials, or the exercise of any of the powers granted to the said Company by this Act, and to agree with such owners respectively, respecting the compensation to be paid to them by the said Company for the purchase thereof, and for their respective damages and to make such agreements and contracts with said parties, respecting the said lands, or the compensation to be given for the same, or for the damages, or as to the mode in which the amount of the said compensation shall be ascertained, as such parties and the said Company shall deem expedient ; and in case of disagreement between the said Company and the said owners or parties, or any of them, then all questions which shall arise between them and the said Company, shall be settled as follows, to wit :

The deposit of the map or plan and book of reference and the notice of such deposit, given as aforesaid, shall be deemed a general notice to all such parties as aforesaid, of the lands which will be required for the said Railway and works.

The Company shall serve a notice upon the opposite party, containing a description of the lands to be taken or of the powers intended to be exercised with regard to any land, giving a description thereof, a declaration that the company are ready to pay a certain sum or rent as the case may be, as compensation for such lands and for the damages arising from the exercise of such powers, and the name of a person whom they appoint as their arbitrator, if their offer be not accepted ; and such notice

s. 14, amended.

Purchase of land for use of road.

Compensation.

Settlement of difficulties on that point.

Notice to opposite party. Its contents.



shall be accompanied by the certificate of some sworn land surveyor for the Province of Quebec, residing in the district of Joliette, or in an adjoining district, being a disinterested party, and not being the arbitrator named in the notice, stating that the land, (if the notice relate to the taking of the land,) is shown in the map or plan deposited as aforesaid, as being required for the said Railway and works, or as being within the line of deviation hereby allowed from the line of the said Railway, that he knows such land or the amount of damages likely to arise from the exercise of such powers, and that the sum so offered is, in his opinion, a fair compensation for such land and for such damages as aforesaid.

If opposite party is absent.

If the opposite party be absent from the district in which the lands lie, or be unknown, then, upon application to the judge of the Superior Court residing in the district, accompanied by such certificate as aforesaid, and by an affidavit of some officers of the Company, that the opposite party is so absent, or that, after diligent inquiry, the party on whom the notice should have been served could not be found, such judge shall order that the notice as aforesaid (but without the certificate), be inserted three times in the course of one month, in some newspaper published in the district, or if there be no newspaper published therein, then in a newspaper published in some adjacent district; but if the competent judge is interested in any lands taken or required by the company, any other judge of the Superior Court in the Province, shall, on the application of the Company, exercise in such case, all the powers given by this section, to the resident judge in cases in which he is not interested.

Appointment of sworn surveyor if opposite party names no arbitrator.

If, within ten days after the service of such notice, or within one month after the first publication thereof the opposite party does not give notice to the Company, of his acceptance of the sum offered by them, or does not give them the name of a person whom he appoints as arbitrator, then the judge may, on the application of the Company, appoint a sworn land surveyor for the Province, to be sole arbitrator for determining the compensation to be given by the company as aforesaid.

If arbitrator is named.

If the opposite party shall, within the time aforesaid, notify the said Company, of the name of the person, such party shall appoint as arbitrator, then the said two arbitrators shall jointly appoint a third, or if they cannot agree upon a third, then the judge shall, on application of the said party, or of the Company (previous notice of at least one clear day having been given to the other party), appoint a third arbitrator.

The said arbitrators, or any two of them, or the sole arbitrator being sworn before one of the commissioners for receiving affidavits to be used in the Superior Court, faithfully and impartially to perform the duties of their office, shall proceed to ascertain the amount of compensation to be given by the Company, in such manner, as he or they, or a majority of them, shall deem best, and the award of such arbitrator, or of any two of them, or of the sole arbitrator, shall be final and conclusive, provided that no such award shall be made or any official act be done by such majority, except at a meeting held at a time and place of which the third arbitrator shall have had at least one clear day's notice, or at such time and at such place to which some meeting at which the third arbitrator was present, shall have been adjourned; but no notice to the Company or opposite party shall be necessary, and they shall be held to have been sufficiently notified through the arbitrator they shall have appointed or whose appointment they shall have applied for.

Proceedings of arbitrators.

Provided always, that the award given by any sole arbitrator, shall never be for a smaller sum than that offered by the Company as aforesaid; and if, in any case where three arbitrators shall have been appointed, the sum awarded be not greater than that offered by the Company, the costs of the arbitration shall be borne by the opposite party, and be deducted from the compensation, otherwise they shall be borne by the said Company, and in either case they may, if not agreed upon, be taxed by the judge.

The arbitrators or a majority of them, or the sole arbitrator, may examine on oath, or solemn affirmation, the parties or such witnesses as shall voluntarily appear before him or them, and may administer such oath or affirmation; and any wilfully false statement made by any witness or party, under such oath or affirmation, shall be deemed wilful and corrupt perjury and be punishable accordingly.

Powers of arbitrators.

The judge by whom any third arbitrator or sole arbitrator, shall be appointed, shall, at the same time, fix a day on or before which the award shall be made, and if the same be not made on or before such day, or some other day to which the time for making, it will have been extended, either by the consent of the parties, or by the order of the judge, as it may be for reasonable cause shown, on the application of such sole arbitrator, or of one of the arbitrators, after one clear day's notice to the others, then the sum offered by the Company as aforesaid, shall be the compensation to be given by them.

Third arbitrator.

If the party appointed by the judge as third arbitrator or sole arbitrator, die before the award be made, or refuse

If the latter dies.

to act or fail to act within a reasonable time, then, upon the application of either party, the judge, being satisfied of the fact by affidavit or otherwise, may, in his discretion, appoint another in his stead; and if the arbitrator appointed by the said Company or by the adverse party, die before the award shall be made, or leave the Province, or become unable to act within a reasonable time, the judge, being satisfied of that fact by affidavit or otherwise, may, upon application, after one clear day's notice, authorize the said Company, or the opposite party, as the case may be, to appoint another in his stead, notifying the other arbitrators of such appointment, but no re-opening or repetition of prior proceedings shall be required.

Desisting of  
company  
from notice.

The Company may desist from such notice as aforesaid, and afterwards give new notice with regard to the same or other lands to the same or other party, but they shall, in any such case, be liable to the party, first notified, for all damages or costs by him incurred in consequence of such first notice and desistance, and no change of owner, after the notice, shall affect the proceedings, but the party notified shall be still deemed the owner, except as to the payment of the sum awarded.

Surveyor, not  
disqualified  
for certain  
reasons.

It shall be no disqualification of the Surveyor or other person offered or appointed as valuator, or as arbitrator, that he be professionally employed by the Company, or by the opposite party, or that he has previously expressed an opinion, as to the amount of compensation, or that he be related or of kin to any member of the said Company, provided he be not himself personally interested in the amount of such compensation; and no cause of disqualification shall be urged against any arbitrator appointed by the judge, after his appointment, but all the objections, thereto in such case, shall be raised previously to the same, and its validity or invalidity summarily determined by the Judge; and no cause of disqualification shall be urged against any arbitrator appointed by the Company; or by the opposite party, after the appointment of a third arbitrator; and the validity or invalidity of the objections as to disqualification urged against any such arbitrator, before the appointment of a third arbitrator, shall be summarily determined by the judge, on the application of either party, after one clear day's notice to the other; and if such objections be maintained, the appointment shall be null, and the party offering the person so adjudged to be disqualified, shall be held to have appointed no arbitrator.

Want of form  
not fatal.

No award made as aforesaid, shall be invalidated by any want of form or other technical objection, if all the requirements of this act shall have been complied with, and if the award shall state clearly the sum awarded, and the lands

or other property, rights or things, for which such sum is to be the compensation; nor shall it be necessary that the party or parties to whom the said sum is to be paid, be named in the award"

5. Section 15 of the said act is hereby amended by striking out in the third line thereof, in the English version of the same, the word: "matter", and substituting therefor the word: "manner"; and by striking out in the eighth line thereof the words: "any justice of the Court of Queen's Bench", and substituting therefor the words: "the judge"; and by striking out, in the fourteenth line of said section, the words: "any such justice", and substituting therefor the words: "such judge."

6. Section 16 of the said act is hereby amended by striking out in the fifteenth and sixteenth lines thereof the words: "said Court of Queen's Bench", and substituting therefor the words: "Superior Court for the district in which such land is situate."

7. Section 23 of the said act is hereby amended by adding thereto the following sub-sections:

"Moreover, the capital stock of the said Company may be increased, from time to time, to any amount, but such increase must be sanctioned by a vote in person or by proxy, of at least two thirds in amount of all the shareholders, at a meeting expressly called by the directors for that purpose, by a notice in writing to each shareholder, served on him personally, or properly addressed to him, deposited and registered in the post office, at least twenty days previously to such meeting, stating the time and place and object of the meeting; such notice shall moreover be published in a newspaper published in the said district of Joliette; and the amount of increase, and the proceedings of such meeting, must be entered on the minutes of the proceedings, and thereupon, the capital stock may be increased to the amount sanctioned by such vote."

"And in case of increase of the capital stock as provided in the preceding sub-section, the said Company may, at such times and places, and after such notices as may, from time to time, be determined by the directors, cause subscription books to be opened, for receiving the signatures of persons willing to become subscribers to the said undertaking; and every person who shall write his or her signature, or who shall cause it to be written by his or her attorney in such book, as a subscriber to the said undertaking, shall thereby become a member of the said Company, subject to the same obligations, and enjoying the same privileges as the other members of the said Company."

S. 24 of said act, repealed.

Power to borrow up to \$75,000.

8. Section 24 of the said act is hereby repealed and the following inserted in lieu thereof:

"24. The said Company may borrow, from time to time, either in Canada or elsewhere, such sum of money as may be necessary, not exceeding seventy five thousand dollars, for the purpose of completing, maintaining or working the said railway, and at a rate of interest not exceeding eight per cent per annum, and to make the bonds, debentures or other securities granted for the sums so borrowed, payable either in currency or in sterling money, and at such place or places within Canada or without it, as may be deemed advisable, and to sell the same at such prices or discount as may be deemed expedient or be necessary, and to hypothecate, mortgage or pledge the lands, tolls, revenues and other properties of the Company, for the payment of the sums so borrowed and the interest thereon; but no such debenture shall be for a less sum than one hundred dollars."

S. 25, amended.

9. Section 25 of the said act is hereby amended:

By striking out after the word "share" in the fifth line thereof, the words following: "less than fifty, provided always that no one proprietor as aforesaid, shall have more than fifty votes";

By striking out in the form contained in said section, the words: "the St. Lawrence and Industry village", and substituting therefor the word: "Joliette";

By adding at the end of said section the following sub-section:

Corporations may subscribe to stock.

"Municipal corporations, subject to the limitations and restrictions by law prescribed, may subscribe for any number of shares in the capital stock of the said Company, and the mayor, warden or other head officer of any such corporation, holding stock to the amount of ten thousand dollars or upwards, shall be *ex-officio*, one of the directors of the Company, in addition to the number of directors authorized by the said act of incorporation."

S. 29 of said act, amended

10. Section 29 of the said act is hereby amended, by striking out, after the word: "fifty," in the third line thereof, the words: "and that in the month of January in the said year and each year thereafter and on such day of the month, thereafter, as shall be determined by any by-law," and by substituting therefor the following words: "and that on the first Wednesday of February of each subsequent year on the following day, when the said first Wednesday shall be a legal holiday."

S. 30, amended.

11. Section 30 of the said act is hereby amended, by striking out of the second line of the said section,

in the French version thereof, the word : "dix," and substituting therefor the word : "dix."

12. Section 39. of the said act is hereby amended, s. 39, by striking out in the form therein contained, the words : "The St Lawrence and Industry vilage Railroad Company," and substituting therefor the following words : "The Joliette Railway Company."

13. Section 51 of the said act is hereby amended by s. 51, striking out, in the nineteenth line thereof, the words : "of Montreal," and substituting therefor, the following words : "in which the offence shall have been committed."

14. This act shall be deemed a part of the said act of incorporation hereby amended. This act to form part of act of inc.

## C A P. L I.

An Act to incorporate the "Ottawa and Gatineau Valley Railway Company."

[Assented to 31st October, 1879.]

**W**HEREAS the persons hereinafter named and others, have, by their petition, represented that a line of railway to be constructed from a point on the north branch of the Ottawa river at or near the village of Hull, in the township of Hull, to a point at or near the confluence of the rivers Desert and Gatineau, and known as Desert village, running on the west side of the river Gatineau, would colonize and settle the fertile land of the Gatineau valley, and speedily develop its resources, agricultural, manufacturing and mineral, and largely increase the wealth and population of the province of Quebec, and moreover, that the said railway would prove to be a powerful feeder to the Quebec, Montreal, Ottawa and Occidental Railway, and have prayed to be incorporated as a company for constructing, equipping, running and managing such railway, and it is expedient to grant their prayer ; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. The Honorable George Bryson, the Honorable L. Ruggles Church, Alonzo Wright, M. P., J. M. Currier, M. P., Joseph Tassé, M. P., Joshua Ellard, E. B. Ed., E. McGillivray, Charles Leduc, B. Bainbridge, Chas. Logue, P.



Grace, Patrick Farrel, Dr. C. E. Graham, C. Devlin, A. Bourgeau, John Brooks, G. Church, Dr. P. St. Jean, James W. Russell, Patrick Baskerville, M. P. P., Edmond Haycock, John Little, W. D. Leslie, Patrick Logue, James Logue, James McAuly, John Grace, George Johnston, James Martin, Robert McAfee, Hercule Trempe, P. Moar, Thomas Moar and Ls. Duhamel, M. D. M. P. P., J. L. P. O'Hanly, P. L. S., Esquires, with all such other persons and corporations as shall become shareholders in the Company hereby incorporated, shall be and are hereby constituted a body corporate and politic, by the name of the : "Ottawa and Gatineau Valley Railway Company," and shall have all powers appertaining to railway corporations in general, and the powers and privileges conferred on such corporations, by the Quebec Railway Act, 1869, subject to the provisions hereinafter mentioned.

Name of corporation and its powers.

Power to construct a railway.

2. Thesaid Company and their agents and servants may lay out, construct and finish a single or double line of railway, of such width or gauge as the Company may see fit, from the north side of the Ottawa river, at or near the village of Hull, in the township of Hull, along the west side of the river Gatineau, to a point at or near the Desert village, at or near the confluence of the rivers Desert and Gatineau.

Amount of capital stock.

Shares.

Application of moneys.

3. The capital stock of the said Company shall not exceed, in the whole, the sum of one million dollars, with power to increase the same as provided by the Quebec Railway Act, 1869, to be divided into forty thousand shares of twenty-five dollars each, which amount shall be raised by the persons hereinafter named, and such other persons and corporations as may become shareholders in the said Company, and the money so raised, shall be applied in the first place, to the payment of all fees, expenses and disbursements for procuring the passing of this act, and for making the surveys, plans and estimates connected with the road ; and the remainder of such money shall be applied towards making and completing and maintaining the said railway and other purposes of this act.

Power to purchase.

4. It shall be lawful for the said Company to receive by grant, either from Government or from any individuals or corporations, municipal or otherwise, either in Canada or elsewhere, as aid in the construction of the said railway, any vacant lots in the vicinity thereof or elsewhere, or any other real or personal property, or any sums of money, either as gifts or by way of bonus, or in payment of stock, and legally to dispose of the same, and alienate the lands



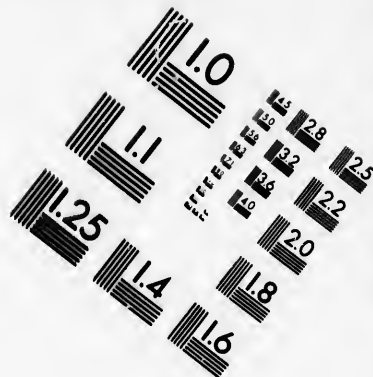
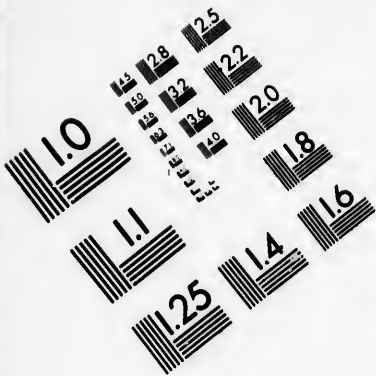
or other real or personal property for the purposes of the said Company in carrying out the provision of this act.

5. The Honorable George Bryson, the Honorable L. Rug-<sup>Provisional</sup>gles Church, Alonzo Wright, M. P., J. M. Currier, M. P.,<sup>Directors.</sup> Joseph Tassé, M. P., Joshua Ellard, E. B. Eddy, E. McGil-  
livray, Chas. Leduc, B. Bainbridge, Chas. Logue, P. Grace,  
Patrick Farrell, Dr C. E. Graham, C. Devlin, A. Rourgeau,  
John Brooks, G. Church, Dr. P. St. Jean, James W. Russell,  
Patrick Baskerville, M. P. P., Edmond Haycock, John Little,  
W. A. Leslie, Patrick Logue, James Logue James Mc  
John Grace, George Johnston, James Martin, Robert  
McAfee, Hercule Trempe, P. Moar, Thomas Moar and Ls  
Duhamel, M. D., M. P. P., J. L. P. O'Hanly, P. L. S.,  
Esquires, shall be and are hereby constituted a Board of  
provisional Directors of the Company, nine of whom shall  
form a quorum, and shall hold office as such, until other  
directors shall be elected, under the provisions of this act,  
by the shareholders, and shall have power and authority to  
fill vacancies occurring therein, to open stock books and pro-<sup>Their</sup>  
cure subscriptions for the undertaking, and to receive pay-<sup>quorum.</sup>  
ment on account of stock subscribed, and make calls upon  
subscribers in respect of their stock, and to sue for and  
recover the same, and to cause surveys and plans to  
be made and executed, and acquire any plans and  
surveys now existing, and to deposit, in any charter-  
ed bank of Canada, any sums of money received by  
them on account of stock subscribed, and to withdraw<sup>Their</sup>  
the same for the purposes of the undertaking, and to re-<sup>powers.</sup>  
ceive for the Company, any gift made to it in aid of the  
undertaking, and to enter into any agreement respecting  
the condition or disposition of any gift or bonus in aid of  
the railway, which agreement shall be binding upon the  
Company, and generally to do all such other acts as  
such board, under the Quebec Railway Act, 1869, may  
lawfully do.

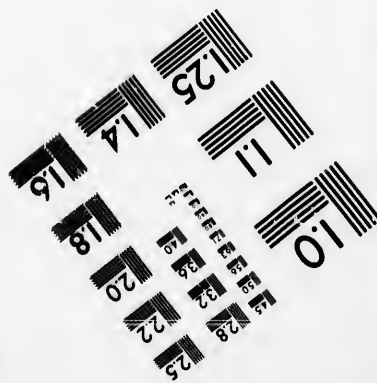
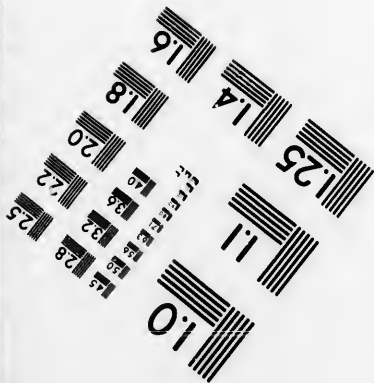
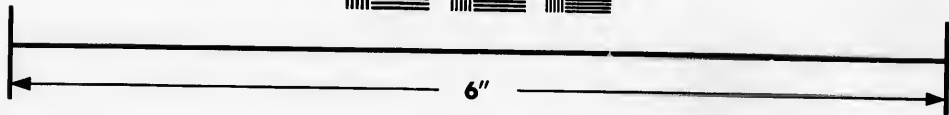
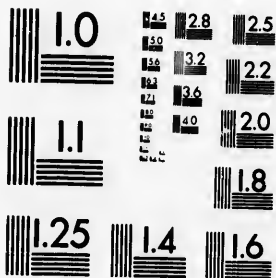
The said Directors are hereby empowered to take all<sup>Subscription</sup>  
necessary steps for opening stock books for the subscriptions<sup>books.</sup>  
of parties desirous of becoming shareholders in the said  
Company, and all parties subscribing to the capital stock  
of the said Company, shall be considered proprietors and  
partners in the same.

6. When and so soon as one-tenth part of the capital<sup>General</sup>  
stock, (which capital stock shall not be less than four<sup>meeting.</sup>  
hundred thousand dollars,) shall have been subscribed as<sup>Appointment</sup>  
aforesaid, either in municipal debentures, granted by way<sup>of directors.</sup>  
of bonus or otherwise, or in ordinary subscriptions by  
individuals to the capital stock, or partly in such muni-





**IMAGE EVALUATION  
TEST TARGET (MT-3)**



**Photographic  
Sciences  
Corporation**

23 WEST MAIN STREET  
WEBSTER, N.Y. 14580  
(716) 872-4503

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cipal debentures, and partly in such subscriptions, and one-tenth of the amount so subscribed paid in, the said Directors, or a quorum of them, may call a meeting of shareholders, at such time and place as they think proper, giving at least two weeks' notice in one or more papers, in English and French, published in the district of Ottawa, at which said general meeting, and at the annual general meeting in the following sections mentioned, the shareholders present, either in person or by proxy, shall elect not less than five, nor more than nine directors, in the manner and qualified as hereinafter provided, which said directors shall constitute a board of directors, and shall hold office until the first Wednesday in February, in the year following their election.

Board of directors.

Subsequent election of directors.

Notice.

7. On the said first Wednesday in February, and on the first Wednesday in February in each year thereafter, at the principal office of the said Company, there shall be held a general meeting of the shareholders of the Company, at which meeting the said shareholders shall elect a like number of not less than five, nor more than nine directors, for the then ensuing year, in the manner and qualified as hereafter provided; and public notice of such annual meeting and election shall be published, for one month before the day of election, in one or more newspapers in French and English, if such there be, in the district, as above provided, of Ottawa, and the election of Directors shall be by ballot, and the persons so elected shall form the Board of directors.

Quorum of directors.

Proviso.

8. A majority of the Directors shall form a quorum for the transaction of business, and the said Board of directors, as well as the provisional Board of Directors, may employ one or more of their members as paid Director or Directors; provided, however, that no person shall be elected unless he shall be the owner and holder of at least ten shares of the stock of the said Company, and shall not be in arrear.

Power of municipalities to appoint directors in certain cases.

9. Any municipal council of a municipality, which has given a bonus in aid of the said railway or its branches, amounting to not less than ten thousand dollars, shall be entitled, during the construction of the railroad, but not afterwards, to appoint a person annually to be a Director of the company; and such person shall be a Director of the Company, in addition to all the other Directors, authorized by this act, or by the Quebec Railway Act, 1869, or any other act; but such municipality shall incur no liability by the appointment of such Director.

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10. Any municipal council of any municipality, hold-  
ing stock in the said railway, to an amount of not less  
than ten thousand dollars, shall be entitled to appoint  
one person annually to be Director of the Company ;  
and any municipal council of any municipality, holding  
not less than one hundred thousand dollars stock in the  
said railway, shall be entitled to appoint annually, two  
persons to be Directors of the said Company, and such  
person or persons shall be a Director or Directors of the  
said Company, in addition to all the other Directors au-  
thorized by this act.

Subsequent  
appointment  
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11. The Directors may, at any time, call upon the  
shareholders for instalments upon each share which they  
or any of them, may hold in the capital stock of the said  
Company, in such proportions as they may see fit, no  
such instalment exceeding ten per cent, and the direc-  
tors shall give one month's notice of such call in such  
manner as they may appoint.

Payment of  
calls.

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12. The Company may, with the consent of the owners,  
acquire and hold land from which to obtain supplies of  
gravel, stone and filling required by the Company for  
their works, and may sell and convey the same or any  
part thereof, when no longer required.

Power of  
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13. The Company shall have power to sell, mortgage  
or lease any lands belonging to it, not necessary for the  
purposes of the said railroad, or received by it as a gift  
in aid.

To sell and  
mortgage the  
same;

14. The said Company shall have power and authority  
to become party to promissory notes and bills of  
exchange, for sums not less than one hundred dollars,  
any such promissory note, made or endorsed by the  
President or Vice-President of the company, and coun-  
tersigned by the Secretary and Treasurer of the company,  
and under the authority of a majority of a quorum of  
the Directors, shall be binding on the said Company ; and  
every such promissory note or bill of exchange so made,  
shall be presumed to have been made with proper  
authority until the contrary be shown ; and in no case  
shall it be necessary to have the seal of the said Company  
affixed to such promissory note or bill of exchange ; nor  
shall the said President or Vice-President, or the Secre-  
tary and treasurer, be individually responsible for the  
same unless the said promissory note or bill of exchange  
have been issued without the sanction, and authority of  
the board of Directors, as herein provided and enacted ;

Of becoming  
party to  
promissory  
notes.

Officers, not  
individually  
liable

**Proviso.** provided, however, that nothing in this section, shall be construed to authorize the said company to issue notes or bills of exchange payable to bearer, or intended to be circulated as money, or as the notes or bills of a bank.

**Issue of debentures.**

**15.** The Directors of the said Company are hereby authorized and empowered to issue bonds or debentures, which shall be and form a first charge on the undertaking, lands, buildings, tolls and income of the company or any, either or all of them, as may be expressed by the said bonds or debentures, without the necessity for any enregistration thereof, and such bonds or debentures shall be in such form, and for such amount, and payable at such time and places, as the Directors, from time to time, may appoint and direct; and the payment to the Treasurer of the Company, or to any other person appointed for the purpose, by any *bonâ fide* purchaser of any of the lands in the fourth and fourteenth sections of this act mentioned, of the purchase money thereof, and the acquittance of such Treasurer, or other person so appointed, of such purchase money, shall operate as a discharge of such charge in respect of the lands so paid for; and, until other provisions be made therefor, the Treasurer of such Company, or other person so authorized, shall keep all moneys so received, separate and apart from the ordinary funds of the Company, and the money so received shall be invested from time to time, in government securities, in the stock of some solvent and well established chartered bank in Canada, for the formation of a fund for the payment of the interest on such debentures as it becomes due, and for their redemption at maturity. The said bonds or debentures shall be signed by the President or Vice-President, and shall have the corporate seal of the Company affixed thereto; provided that the amount of such bonds or debentures, shall not exceed fifteen thousand dollars per mile, to be issued in proportion to the length of the railway under contract, or to be constructed under and by virtue of this charter, but no such debenture shall be for a less sum than one hundred dollars.

**Payment of purchase money for land.**

**Amounts received, kept separately.**

**Investment of the same.**

**Amount of debentures.**

**Building of branches.**

**16.** The directors of the said Company elected by the shareholders, in accordance with the provisions of this act, shall have power and authority to enter into and conclude any arrangements with any other chartered railway company, for the purpose of making any branch or branches to facilitate a connection between this company and any other chartered railway company.



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**17.** The Company may enter into an agreement with any other chartered railway company, for leasing to such company, the said railway, or any part or branch thereof, or the use thereof, at any time or times, and for any period, or for leasing or hiring as lessors or lessees, any locomotives, tenders, cars, or other rolling stock or moveable property, under such sanction as hereinafter mentioned, and generally, to make any agreement or agreements with any such other company, touching the use by one or other, or by both companies, of the railway or rolling stock, or moveable property, of either or both, or any part thereof, or touching any service to be rendered by the one company to the other, and the compensation therefor, and such leases, agreements and arrangements, shall be valid and binding, and shall be enforced by all courts of law, according to the tenor and effect thereof, or such other railway company may agree to loan its credit to, or may subscribe to and become the owner of the whole or a part of the stock of the railway company hereby incorporated, in like manner and with the like rights as individuals; provided the said leases, agreements and arrangements have been first respectively sanctioned by the majority of votes, at special general meetings of the shareholders, called for the purpose of considering the same respectively, on due notice given as of annual general meetings for the election of Directors.

*Leasing of the railway.*

*Validity of contracts of case.*

*Proviso.*

**18.** The said Board of Directors shall elect and appoint a President and a Vice-President or Vice-Presidents, and the necessary officers, and fill up vacancies from time to time, but the said President and Vice-Presidents shall be elected annually, immediately after the election of Directors, except that in filling up a vacancy, the election may be made at any time.

*Officers of Board of directors.*

**19.** The said Board of Directors are hereby authorized to take all necessary steps for procuring subscriptions for stock, until the whole has been taken up, and to make, execute and deliver scrip and share certificates therefor, as they shall deem expedient.

*Subscriptions for stock.*

**20.** Any deed of conveyance of land to the said Company, shall be in the form of Schedule A, to this act annexed, and may be enregistered at full length, upon the affidavit of one of the witnesses to the execution thereof made before one of the officers usually authorized to receive the same; and a deed in such form or in words of like import, shall be a legal and valid conveyance of the land and immoveables therein mentioned, to all intents and

*Transfers of property.*

*Form.*

purposes, and the registration thereof shall be of the same effect as if such deed were executed before a notary.

Power to use  
wooden rails

21. The Directors of the said Company may, if they see fit, use wooden rails on any portion of the said railway not exceeding one-half of its whole length, for any term not exceeding five years, when the said wooden rails shall be replaced by iron rails.

Powers,  
limited.

22. The powers given by this act shall be exercised by the commencement of the said railway within five years after the passing of this act, and its completion within ten years therefrom.

Title of act.

23. This act shall be cited as the : " Ottawa and Gatineau Valley Railway Act. "

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#### SCHEDULE A.

Know all men by these presents that I, A. B., in consideration of \_\_\_\_\_, paid to me by the Ottawa and Gatineau Valley Railway Company, the receipt whereof is hereby acknowledged, grant, bargain, sell and convey unto the said Ottawa and Gatineau Valley Railway Company, their successors and assigns, all that tract or parcel of land (*describe the land,*) to have and to hold the said land and premises unto the said company, their successors and assigns for ever.

Witness my hand and seal, this \_\_\_\_\_ day of  
one thousand eight hundred and \_\_\_\_\_

Signed, sealed and delivered, }  
in presence of

C. D.  
E. F.

} A. B.

} (L. S.)

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CAP. XLIII.

An Act to amend and consolidate "The Quebec Railway Act, 1869," and the Acts amending the same.

[Assented to 24th July, 1880.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. In citing this act, it shall be sufficient to use the expression "The Quebec Consolidated Railway Act, 1880."

APPLICATION OF ACT.

2. The provisions of this act, from section five to section thirty-three, both inclusive, being Part First of this act, shall apply to the Quebec, Montreal, Ottawa and Occidental Railway, constructed under the authority of the act of this Legislature, passed in the thirty-ninth year of Her Majesty's Reign, and intituled: "An Act respecting the construction of the Quebec, Montreal, Ottawa and Occidental Railway," that is to say, in so far as they are applicable to the undertaking, and in so far as they are not inconsistent with or contrary to the provisions of the said act, or any other act respecting the same.

2. The said sections shall also apply to every railway constructed or to be hereafter constructed under the authority of any act passed by this Legislature, and shall, in so far as they are applicable to such undertaking, and unless they are expressly varied or excepted by the special act, be incorporated with the special act, form part thereof, and be construed therewith as forming one act.

3. For the purpose of excepting, from incorporation with the special act, any of the sections forming Part First of this act, it shall be sufficient, in the special act, to enact that the sections of this act, designating them by their title, proposed to be excepted, shall not be incorporated with such act, and the special act shall be construed accordingly.

4. The remaining provisions of this act, from section thirty-four to section ninety-seven inclusively, being Part Second, shall apply to the Quebec, Montreal, Ottawa and Occidental Railway, in so far as they are not varied by, or inconsistent with the special act respecting it, or contrary to its provisions, to all railways in course of construction by the government of the Province of Quebec, and the pro-

Subject to provisions of this act. perty of the Province of Quebec, in the year eighteen hundred and sixty eight, in so far as they are not inconsistent with any special act respecting them, and to all railways, which have been in or since the said year, or which may be hereafter constructed, under the authority of any special act passed by the Legislature of the Province of Quebec, and to all companies incorporated for their construction and working; subject always to any provisions hereinafter made as to the application of any section or provision of either part of the present act to any Railway, or as to the time from which it is to be held as so applying.

## PART FIRST.

## INTERPRETATION.

- Interpretation of words:—  
"The special act;" 5. The expression: "The Special Act," used in this act shall be construed to mean any act authorizing the construction of a railway, with which this act or "The Quebec Railway Act, 1869," is incorporated;
- "Prescribed;" 2. The word: "prescribed," used in this act in reference to any matter herein stated, shall be construed to refer to such matter, as the same is prescribed or provided for in the special act; and the sentence in which such word occurs shall be construed as if, instead of the word: "prescribed," the expression: "prescribed for that purpose in the special act" had been used;
- "The lands;" 3. The expression: "the lands," shall mean the lands which, by the special act, are authorized to be taken or used for the purpose thereof;
- "The undertaking," 4. The expression; "the undertaking," shall mean the railway and works, of whatever description, by the special act authorized to be constructed or executed.
- In this and the special act: 5. The following words and expressions, both in this and the special act, shall have the meanings hereby assigned to them, unless there is something in the subject or context repugnant to such construction, that is to say:
- "Lands;" 6. The word: "Lands," shall include all real estate, messuages, lands, tenements and hereditaments of any tenure;
- "Lease;" 7. The word: "Lease," shall include any agreement for a lease;
- "Toll;" 8. The word: "Toll," shall include any rate or charge or other payment, payable under this act or the special act, for any passenger, animal, carriage, goods, merchandise, matters or things conveyed on the railway;
- "Goods;" 9. The word; "Goods," shall include things of every kind that may be conveyed upon the railway, or upon steam or other vessels connected therewith;

10. The word ; "County," shall include any union of "County," counties, any county, or any division thereof into separate municipalities ;

11. The word : "Highway," shall mean all public roads, "Highway," streets, lanes, and other public ways of communication ;

12. The word ; "Sheriff," shall include the deputy sheriff, "Sheriff," the under sheriff, or other legal competent delegate ; and where any matter in relation to any lands is required to be done by any sheriff or clerk of the peace, the expression ; "the sheriff" or the expression ; "Clerk of the Peace," "Clerk of the Peace," shall, in such case, be construed to mean the sheriff or clerk of the peace of the district, where such lands are situate ; and if the lands in question, being the property of one and the same party, be situate not wholly in one district, the same expression shall be construed to mean the sheriff or clerk of the peace of any such district, where any part of such lands are situate ;

13. The word : Justice of the peace," shall mean a jus- "Justice of the Peace," tice of the peace, acting for the district where the matter requiring the cognizance of a justice arises, and who is not interested in the matter ; and whenever the matter arises in respect of lands, being the property of one and the same party, not situate and wholly in any one district, such expression shall mean a justice acting for the district where any part of such lands are situate, and who is not interested in such matter ; and where any matter is authorized or required to be done by two justices, the expression : "Two Justices of the peace." shall be understood to mean two "Two Justices of the Peace," justices assembled and acting together ;

14. The word : "owner" wherever, under the provisions of "Owner," this act or the special act, any notice is required to be given to the owner of any lands or where any act is authorized or required to be done with the consent of the owner, shall be understood to mean any corporation or person who, under the provisions of this act, or the special act, or any act incorporated therewith, would be enabled to sell and convey lands to the company ;

15. The expression : "the Company" shall mean the "The Company or party authorized by the special act to construct the railway ;"

16. The expression : "the railway," shall mean the rail- "The Rail- way and the works by the special act authorized to be con- way," structed or executed.

6. Every company established under any special act, Companies shall be a body corporate under the name declared in the established under special special act, and shall be vested with all the powers, privi- acts, declared leges and immunities, which are or may be necessary to be bodies to carry into effect the intentions and objects of this act and corporate, &c.

Civil Code. of the special act therefor, and which are incident to such corporation, or are expressed or included in "the Civil Code."

## POWERS.

- Powers :**
- To receive grants of land, &c ;**
- To purchase land ;**
- To occupy public lands, beaches &c., with consent of the Crown ;**
- Proviso.**
- Power to carry railway across lands of corporations and others ;**
- And across or along streams, &c ;**
- Proviso.**
- Proviso :**
- 7. The company shall have power and authority :**
1. To receive, hold and take all voluntary grants and donations of land or other property made to it, to aid in the construction, maintenance and accommodation of the railway ; but the same shall be held and used for the purpose of such grants or donations only ;
  2. To purchase, hold and take of any corporation or person, any land or other property necessary for the construction, maintenance, accommodation and use of the railway, and also to alienate, sell or dispose of the same at pleasure ;
  3. No railway company shall take possession of, use or occupy any lands belonging to the province, without the consent of the Lieutenant-Governor in council ; but, with such consent, any such company may take and appropriate, for the use of their railway and works, but not alienate, so much of the wild lands of the Crown, lying on the route of the railway, as have not been granted or sold, and as may be necessary for such railway, as also so much of the public beach or of the land covered with the waters of any lake, river, stream or canal, or of their respective beds, as is necessary for making and completing and using their said railway and works ; subject, however, to the authority and control of the Parliament of Canada, in so far as shipping and navigation are concerned ;
  4. The company shall have power and authority to make, carry or place the railway across or upon the lands of any corporation or person on the line of the railway, or within the distance from such line stated in the special act, although, through error or other cause, the name of such party has not been entered in the book of reference herein-after mentioned, or although some other corporation or party has been erroneously mentioned as the owner of or entitled to convey, or as interested in such lands ;
  5. To construct, maintain and work the railway across, along, or upon any river, water-course, canal, highway or railway which it intersects or touches ; but the river, water-course, highway, canal or railway so intersected or touched, shall be restored by the company to its former state, or to such state as not to impair its usefulness ; subject always however to the authority and control of the Parliament of Canada, in so far as respects shipping and navigation ;

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6. To make, complete, change and keep in repair the Railway with one or more sets of rails or tracks to be worked by the force and power of steam, or of the atmosphere, or of animals, or by mechanical power, or by any combination of them ; To complete railway with one or more tracks, &c. ;

7. To erect and maintain all necessary and convenient buildings, stations, depots, wharves and fixtures, and, from time to time, to change, repair or enlarge the same, and to purchase and acquire stationary or locomotive engines and carriages, waggons, floating stages and other machinery necessary for the accommodation and use of the passengers, freight and business of the railway ; To erect necessary buildings, wharves, &c.

8. To make branch railways, if required, and authorized by the special act, and to manage the same, and, for that purpose, to exercise and possess all the powers, privileges and authority necessary therefor, in as full and ample a manner as for the railway ; Branch rail-ways ;

9. To construct and make all other matters and things necessary and convenient for the making, extending and using of the Railway, in pursuance of this act, and of the special act ; All other matters and things necessary for the railway ;

10. To take, transport, carry and convey persons and goods on the railway ; to regulate the time and manner in which the same shall be transported, and the tolls and compensation to be paid therefor, and to receive such tolls and compensation ; To convey persons and goods on railway ;

11. To borrow, from time to time, either in Canada or elsewhere, such sums of money as may be expedient for completing, maintaining or working the railway, and at a rate of interest not exceeding the legal rate per annum, and to make the bonds, debentures or other securities, granted for the sums so borrowed, payable either in currency or in sterling, and at such place, or places within Canada or without, as may be deemed advisable, and to sell the same at such prices or discount as may be deemed expedient, or be necessary, and to hypothecate, mortgage or pledge the lands, tolls, revenues and other properties of the company, for the due payment of the said sums borrowed and the interest thereon ; but no such debenture shall be for a less sum than one hundred dollars ; To borrow money, &c. ; To issue bonds, debentures, &c., pledging company's property ;

12. To enter into and upon any Crown lands, without previous license therefor, or into and upon the lands of any corporation or person whatsoever, lying in the intended route or line of the railway ; and to make all surveys, examinations, or other necessary arrangements on such lands necessary for fixing the site of the railway, and to set out and ascertain such parts of the lands as are necessary and proper for the railway ; To enter upon lands, &c., for survey, &c.,



To remove trees ;

13. To fell or remove any trees standing in any woods lands or forests, where the railway passes, to the distance of six rods from either side thereof ;

To cross or unite with other railways ;

14. To cross, intersect, join and unite the railway with any other railway, at any point on its route, and upon the lands of such other railway, with the necessary conveniences for the purposes of such connection ; and the owners of both railways may unite in forming such intersection, and grant the facilities therefor ; and in case of disagreement upon the amount of compensation to be made therefor, or upon the point or manner of such crossing or connection, the same shall be determined by arbitrators to be appointed by a Judge of the Superior Court ;

But not without application to the railway committee, under section 34 ;

15. But no railway company shall avail itself of any of the powers contained in the next preceding sub-section, without application to the railway committee, constituted under the section 34 of this act, for approval of the mode of crossing, union or intersection proposed, of which application, notice in writing shall be given to any other railway company affected, by sending the same by mail or otherwise, to the address of the president, superintendent, managing director or secretary of any such railway company, and when such approval has been obtained, it shall be lawful for either railway, in case of disagreement as to the amount to be paid for compensation, to proceed for the determination of such compensation as provided in the said sub-section.

To construct branch railways on certain conditions ;

16. Any railway company may construct a branch or branches, not exceeding six miles in length, from any terminus or station of their railway, whenever a by-law, sanctioning the same, has been passed by the municipal council of the municipality, within the limits of which such proposed branch is situate, and no such branch shall, as to the quality and construction of the road, be subject to any of the restrictions contained in the special act or in this act, nor shall anything in either of the said acts authorize the company to take, for such branch, any lands belonging to any party, without the consent of such party first obtained ;

To construct branch lines for certain purposes ;

17. For the purpose of connecting any city, town, village, manufactory or manufactories, mine or mines, or any quarry or quarries of stone or slate, or any well or spring, with the main line of the railway of the company, or with any branch thereof, or with any railway worked or leased by the company ; and for the purpose of giving increased facilities to business, or for the purpose of transporting the products of any such manufactory, mine, quarry, well or spring, it shall be lawful for the company to build, make and construct, and to work and use, sidings, switches or

branch lines of railway, not to exceed in any one case, six miles in length : Provided always, that the company shall not proceed to locate or build any branch line of more than one quarter of a mile in length, under this section of this act, until public notice shall have been given for six weeks, in some newspaper published in the county or counties through or in which such branch line is to be made, that it is the intention of the company to apply to the Lieutenant-Governor in council to sanction the building of such branch line, and to expropriate the necessary lands for that purpose, under the compulsory powers vested in them by this act, or by any other act in their behalf ; nor unless the company shall, prior to the first publication of such notice, have deposited in the registry office of any city, county or part of a county, in which the line or any part thereof is to be constructed, the maps and plans indicating the location of the line ; nor until the company shall have submitted such maps and plans to, and until such maps and plans shall have been approved by the Lieutenant-Governor in council, after the expiration of the notice ; And provided further, that the order of the Lieutenant-Governor in council, approving the said maps and plans, shall limit the time, not exceeding two years from the date of such order, within which the company may construct such branch line ;

*Proviso.*  
*Notice to be given*  
*Maps and plans ; approval of Lieutenant Governor in council.*

b. For any and every such purpose, each and every company herein referred to, shall have and may exercise all the powers given them, with respect to their main line, by the act incorporating the company, and the acts amending the same, or relating to the company, or the act authorizing the construction of the main line, and this act and any act amending the same ; and each and all the provisions of the said act, which are applicable to such extension, shall extend and apply to every such siding, switch or branch line of railway ;

*Proviso ; time for construction limited.*  
*Power of company as to such branch lines ;*

18. Any railway company, desiring, at any time, to change the location of its line of railway in any particular part, for the purpose of lessening a curve, reducing gradient, or otherwise benefiting such line of railway, or for any other purpose of public advantage, may make such change ; and all and every the clauses of this act shall refer as fully to the part of such line of railway, so at any time changed or proposed to be changed, as to the original line ; but no railway company shall have any right to extend its line of railway beyond the termini mentioned in the special act ;

*To make change in the line of a railway at any time for certain purposes ;*  
*Proviso.*

19. The original capital stock of any railway company may be increased at will to any amount ; but such increase must be sanctioned by a vote in person or by proxy, of at

*To increase the capital stock ; how and on what conditions.*

least two-thirds in amount of all the shareholders, at a meeting expressly called by the directors for that purpose, by a notice in writing to each shareholder, served on him personally, or properly directed to him, and deposited in the post office, at least twenty days previous to such meeting, stating the time and place and object of the meeting, and the amount of increase, and the proceedings of such meeting must be entered on the minutes of the proceedings and thereupon the capital stock may be increased to the amount mentioned by such a vote.

#### PLANS AND SURVEYS.

Provisions respecting surveys and levels.

Map and book of reference; contents:

To be examined, certified and copies deposited.

Access to copies.

Certified copies to be evidence.

Omission or errors how remedied.

8. Plans and surveys shall be made and corrected as follows:

1. Surveys and levels shall be taken and made of the lands through which the railway is to pass, together with a map or plan thereof, and of its course and direction, and of the lands intended to be passed over and taken therefor, so far as then ascertained; and, also a book of reference for the railway, in which shall be set forth:

*a.* A general description of the said lands;

*b.* The name of the owners and occupiers thereof, so far as they can be ascertained, and

*c.* Everything necessary for the right understanding of such map or plan;

2. The map or plan and book of reference shall be examined and certified by the commissioner of agriculture and public works, or by his deputy and a duplicate thereof so examined and certified, shall be deposited in the office of the department of agriculture and public works, and the company shall be bound to furnish copies of such map or plan and book of reference, or of such parts thereof as relate to each county through which the railway is to pass, to be deposited in the registry offices for such counties respectively;

3. Any person may resort to such copies, and may make extracts or copies thereof, as occasion requires, paying to the registrars, at the rate of ten cents for every hundred words;

4. Such map or plan and book of reference so certified, or a true copy thereof, certified by the commissioner of agriculture and public works, or by the registrars, shall be sufficient evidence in any court of law and elsewhere;

5. Any omission, mis-statement or erroneous description of such lands, or of the owners or occupiers thereof, in any map, or plan or book of reference, may, after giving ten days' notice to the owners of such lands, be corrected by any Judge of the Superior Court, on application made to

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him for that purpose, and if it appears to him that such omission, mis-statement or erroneous description arose from mistake, he shall certify the same accordingly ;

6. The certificate shall state the particulars of any such omission, and the manner thereof, and shall be deposited with the registrars of the counties respectively in which such lands are situated, and be kept by them, along with the other documents to which they relate ; and thereupon, such map, or plan or book of reference shall be deemed to be corrected according to such certificate ; and the company may make the railway in accordance with the certificate ;

Certificates relating thereto.

7. If any alterations from the original plan or survey are intended to be made in the line or course of the railway, a plan and section of such alterations, as have been approved of by the Legislature, on the same scale and containing the same particulars as the original plan or survey, shall be deposited in the same manner as the original plan, and copies or extracts of such plan and section, so far as they relate to the several districts or counties, in or through which such alterations have been authorized to be made, shall be deposited with the registrars of such counties ;

Alterations from original survey.

8. Until such original map, or plan or book of reference, or the plans and sections of the alterations, have been so deposited, the execution of the railway, or of the part thereof affected by the alterations, as the case may be, shall not be proceeded with ;

Railway not to be proceeded with, until maps, &c., deposited.

9. The registrars shall receive and retain the copies of the original plans and surveys, and copies and extracts thereof respectively, and shall permit all persons interested to inspect any of the documents aforesaid, and to make copies and extracts of and from the same, under a penalty for each default of four dollars ;

Registrars to retain copies of original plan, &c.

Copies or extracts.

10. The copies of the maps, plans and books of reference, or of any alteration or correction thereof, extracts therefrom, certified by the registrar, shall be received in all courts of justice, or elsewhere, as proof of the contents thereof, and the registrar shall give such certificate to all parties interested, when required ;

Copies certified by registrar to be good evidence in courts.

11. No deviation of more than one mile from the line of the railway or from the place assigned thereto, in the said map or plan, and book of reference or plans or sections, shall be made into, through, across, under or over any part of the lands not shewn in such map or plan and book of reference, or plans or sections, or within one mile of the said line and place, save in such instances as are provided for by the special act ;

Line not to deviate more than a mile from plan.

Proviso.

As to errors in the name of a person entered in book of reference.

12. The railway may be carried across or upon the lands of any person on the line, or within the distance from such line as aforesaid, although the name of such person has not been entered in the book of reference through error or any other cause, or through some other person is erroneously mentioned as the owner of or entitled to convey, or as interested in such lands ;

Map, &c., of railway to be filed in the department of agriculture and public works.

13. A map and profile of the completed railway and of the land taken or obtained for the use thereof, shall, within six months after completion of the undertaking, be made and filed in the department of agriculture and public works, and like maps of the parts thereof, located in different districts and counties, shall be filed in the registry offices for the counties in which such parts are respectively situate ; and any company failing or neglecting to furnish such map within the said period, shall incur a penalty of two hundred dollars, and a like penalty for each and every month such failure or neglect shall continue, recoverable in Her Majesty's name in any court of competent jurisdiction ;

On what scale and paper to be drawn.

14 Every such map shall be drawn on such scale, and on such paper, as may, from time to time, be designated for that purpose by the commissioner of agriculture and public works, and shall be certified and signed by the president or engineer of the corporation ;

Plans, &c., heretofore deposited with clerks of the peace to be transferred to registrars.

15. The plans and books of reference which have, before this date, been deposited in the offices of the peace by railway companies, under the jurisdiction of this Legislature, shall within three months from the sanction of the present act, be delivered and deposited by such clerks of the peace in the registry offices of the counties, in which are situated the lands mentioned in such plans and books of reference, and such clerks of the peace shall obtain a receipt from such registrar for such plans and books of reference ; provided however that when a plan and book of reference shall include lands situated in more than one county, although in one district only, such plan and book of reference may be deposited in the registry office of either of the said counties, and in such case, the registrar, who shall have received such deposit, shall cause to be made, by a sworn land surveyor, a copy of that portion of the plan, which is to be deposited in the registry office of the other county or counties, in which are situated some of the lands mentioned in the said plan, and he shall prepare and certify a copy of the book of reference to make it correspond with the said plan ; which said copies of the plan and book of reference shall be deposited by the said registrar in the registry offices of the counties to which such copies of the plan and book of reference relate ; provided moreover that the costs and disbursements, occasioned by such copies of the plan and book of reference,

Provide ; If lands are in more than one county.

Copies to be deposited.

Provide ; Cost of making such copies to be

shall be at the expense of the railway companies interested, and shall be, by the latter, paid to the said registrar who, to that end, shall have a right of action in his own name against all such companies.

LANDS AND THEIR VALUATION.

9. The lands which may be taken without the consent of the proprietor thereof, shall not exceed thirty-three yards in breadth, except in places where the railway is raised more than five feet higher, or cut more than five feet deeper than the surface of the line, or where a double track is established, or where stations, depots or other constructions shall be erected, or goods delivered; and then not more than two hundred and fifty yards in length by one hundred and fifty yards in breadth, without the consent of the person authorized to convey such lands; and the places, at which such extra breadth is to be taken, shall be shewn on the map or plan, or plans or sections, in so far as the same may be then ascertained, but their not being so shewn upon the plans shall not prevent such extra breadth from being taken, provided it be taken upon the line shewn or within the distance aforesaid from such line;

2. The extent of the public beach, or of the land covered with the waters of any river or lake in this province, taken for the railway, shall not exceed the quantity limited in the next preceding sub-section;

3. All corporations and persons whatsoever, usufructuaries, institutes, guardians, curators, executors, administrators, and all other trustees whatsoever, not only for and on behalf of themselves, their heirs and successors, but also for and on behalf of those whom they represent, whether infants, issue unborn, lunatics, idiots, *femes covert*, or other persons seized, possessed of, or interested in any lands, may contract, sell and convey unto the company all or any part thereof; provided always that in all cases in which the parties, above mentioned shall have no legal right to sell and convey the ownership of the said lands, they shall, after having given due notice to the parties interested, obtain, from a judge of the Superior Court, permission to sell such lands; and the said judge shall give the necessary orders for the investment of the price thereof, in such manner as he shall deem expedient and in accordance with the laws of the Province to protect the rights of the owner of such lands;

4. But the powers by the next preceding sub-section, conferred upon ecclesiastical and other corporations, trustees of land, for church or school purposes, or either, executors appointed by wills, in which they are not in-

paid by railway companies.

Extent of lands to be taken without consent of proprietors.

Extra breadth for stations, &c.

Extent of public beach to be taken.

Corporations, &c., may convey lands to company.

Provide; order of judge required in certain cases.

Limitations of powers in certain cases.



vested with any power over the real estate of the testators, administrators of persons dying intestate, but at their death seized of real estate, shall only extend and be exercised with respect to any of such lands actually required for the use and occupation of any railway company ;

Effect of sale under preceding sub-sections.

5. Any contract, agreement, sale, conveyance and assurance so made, under the two preceding sub-sections, shall be valid and effectual in law, to all intents and purposes whatsoever, and shall vest in the railway company, receiving the same, the fee-simple in the lands in such deed described, freed and discharged from all trusts, restrictions and limitations whatsoever ; and the corporation or person so conveying, is hereby indemnified for what it or he respectively does by virtue and in pursuance of this act ;

Disposal of purchase money.

6. The company shall not be responsible for the disposal of any purchase-money for lands taken by them for their purposes, if paid to the owner of the land, or into court for his benefit, as hereinafter provided ;

Effect of contracts made before deposit of map.

7. Any contract or agreement made by any party authorized by this act to convey lands, and made before the deposit of the map or plan and book of reference, and before the setting out and ascertaining of the lands required for the railway, shall be binding at the price agreed upon for the same lands, if they are afterwards so set out and ascertained, within one year from the date of the contract or agreement, and although such land may in the meantime, have become the property of a third party ; and possession of the land may be taken and the agreement and price may be dealt with, as if such price had been fixed by an award of arbitrators as hereinafter provided, and the agreement shall be in the place of an award ;

Corporations or others who cannot sell in ordinary course of law, may agree upon a fixed rent.

8. All corporations or persons who cannot, in common course of law, sell or alienate any lands so set out and ascertained, shall agree upon a fixed annual rent as an equivalent, and not upon a principal sum, to be paid for the lands ; and if the amount of the rent is not fixed by voluntary agreement or compromise, it shall be fixed and all proceedings shall be regulated in the manner herein prescribed ;

Lien for payment of such rent.

9. And for the payment of the said annual rent, and every other annual rent agreed upon or ascertained, and to be paid for the purchase-money of any lands, or for any portion of the purchase-money of any land which the vendor agrees to leave in the hands of the company, the railway and the tolls thereon shall be liable and chargeable, in preference to all other claims and demands thereon whatsoever, provided the deed creating such charge and mortgage be duly registered in the registry office of the proper district, county or registration division ;

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10. Whenever there is more than one party proprietor of any land as joint tenant, or tenants in common, or *par indivis*, any contract or agreement made in good faith with any party or parties, proprietor or being together proprietors of one third or more of such land, as to the amount of compensation for the same or for any damages thereto, shall be binding as between the remaining proprietor or proprietors, as joint tenants or tenants in common and *par indivis*; and the proprietor or proprietors who have so agreed, may deliver possession of such land, or empower the entry upon the same, as the case may be ;

11. After one month from the deposit of the map or plan and book of reference, and from notice thereof in at least one newspaper, if there be any, published in each of the counties through which the railway is intended to pass, application may be made to the owners of lands or to parties empowered to sell lands, or interested in lands, which may suffer damage from the taking of materials, or the exercise of any of the powers granted to the railway, and, thereupon agreements and contracts may be made with such parties, touching the said lands or the compensation to be paid for the same, or for the damages, or as to the mode in which such compensation shall be ascertained, as may seem expedient to both parties ; and in case of disagreement between them, or any of them, then all questions which arise between them shall be settled as follows, that is to say :

12. The deposit of a map or plan and book of reference, and the notice of such deposit, shall be deemed a general notice to all the parties, of the lands which will be required for the railway and works ;

13. The notice served upon the party shall contain :

a. A description of the lands to be taken, or of the powers intended to be exercised with regard to any lands, describing them ;

b. A declaration of readiness to pay some certain sum or rent, as the case may be, as compensation for such lands or of such damages ; and,

c. The name of a person to be appointed as the arbitrator of the company, if their offer be not accepted ; and such notice shall be accompanied by the certificate of a sworn surveyor for the province, disinterested in the matter, and not being the arbitrator named in the notice, establishing ;

That the land, (if the notice relate to the taking of land,) shewn on the said map or plan, is required for the railway, or is within the limits of deviation, hereby allowed ;

That he knows the land, or the amount of damage likely to arise from the exercise of the powers ; and

That the sum so offered is, in his opinion, a fair compensation for the land, and for the damages caused :

When more than one proprietor, agreement with one suffices in certain cases and conditions.

After one month's notice of deposit of map, &c., application to the owner of lands.

Arbitration in default of agreement.

Deposit of plan, &c., to be general notice.

Notice to opposite party, and what it must contain.

**If the opposite party is absent or is not known, application to judge.** 14. If the opposite party is absent from the district or county in which the lands lie, or is unknown, then, upon application to any judge of the Superior Court residing in the district or to any judge of the said court, exercising his functions therein, accompanied by such certificate as aforesaid, and by an affidavit of some officer of the company, establishing that the opposite party is so absent, or that, after diligent enquiry, the party on whom the notice ought to be served cannot be ascertained, the judge shall order a notice, as aforesaid, (but without a certificate) to be inserted three times in the course of one month in some newspaper published in such district or county; and if there be no newspaper published therein, then in a newspaper published in some adjacent district or county;

**If judge be interested.** 15. Whenever any of such judges is interested in any lands, required by the company, within the district in which he resides, or in which he exercises his functions, or whenever there is no judge in such district, any judge of the Superior Court, residing or exercising his functions in any adjoining district, who is not interested, shall, on the application of the company, or of the opposite party, exercise, in such cases, all the powers, given by this section to the resident judge, or to any judge exercising his functions in the district in which the required lands are situated;

**Party not accepting the company's offer, and not appointing an arbitrator.** 16. If within ten days after the service of such notice, or within one month after the first publication thereof, the opposite party does not notify to the company his acceptance of the sum offered by them, or notify to them the name of a person whom he appoints as arbitrator, then the judge shall, on the application of the company, appoint a sworn surveyor for the Province, to be sole arbitrator for determining the compensation to be paid as aforesaid;

**Appointment of arbitrator by opposite party; third arbitrator.** 17. If the opposite party, within the time aforesaid, notifies to the company the name of his arbitrator, then the two arbitrators shall jointly appoint a third, or if they cannot agree upon a third, then the judge of the Superior Court shall, on the application of the party or of the company (previous notice of, at least, two clear days having been given to the other party,) appoint a third arbitrator;

**Duties of arbitrators.** 18. The arbitrators, or two of them, or the sole arbitrator, being sworn before some justice of the peace for the district or county in which the lands lie, faithfully and impartially to perform the duties of their office, shall proceed to ascertain the said compensation, which the company must pay in such way as they or he, or a majority of them deem best, and the award of such arbitrators, or any two of them, or of the sole arbitrator, shall be final and conclusive; but no such award shall be made, or any official act be done, by such majority, except at a meeting held

**Award of two to be sufficient.**

at a time and place of which the other arbitrator has had at least two clear day's notice, or to which some meeting, at which the third arbitrator was present, had been adjourned; and no notice to either of the parties shall be necessary, but each party shall be held sufficiently notified, through the arbitrator appointed by him, or whose appointment he required;

19. The arbitrators, in deciding on such value or compensation, are authorized and required to take into consideration the increased value that would be given to any lands or grounds through or over which the railway will pass, by reason of the passage of the railway through or over the same, or by reason of the construction of the railway, and to set off the increased value that will attach to the said lands or grounds, against the inconvenience, loss or damage that might be suffered or sustained, by reason of the company taking possession of or using the said lands or grounds as aforesaid;

Arbitrators to consider increased value of remaining lands.

20. If in any case where three arbitrators have been appointed, the sum awarded is not greater than that offered, the costs of the arbitration shall be borne by the opposite party, and be deducted from the compensation, but if otherwise, they shall be borne by the company, and in either case, they may, if not agreed upon, be taxed by the judge, upon a petition to that effect duly served upon the adverse party at least two days beforehand, with a copy of the bill of costs in detail;

Costs, how paid.

21. The arbitrators, or a majority of them, or the sole arbitrator, may in their discretion examine, on oath or solemn affirmation, the parties, or such witnesses as voluntarily appear before them or him, and may administer such oath or affirmation.

Arbitrators may examine on oath.

22. A majority of the arbitrators, at the first meeting after their appointment, or the sole arbitrator, shall fix a day on or before which the award shall be made; and if the same is not made on or before such day, or some other day to which the time for making it has been prolonged, either by the consent of the parties or by resolution of the arbitrators, then, the sum offered by the company, as aforesaid, shall be the compensation to be paid by them;

Time within which such award may be made.

23. If the sole arbitrator or the third arbitrator appointed by the judge, or any arbitrator appointed by the parties, or the third arbitrator appointed by the two arbitrators, dies before the award has been made, or is disqualified, or refuses or fails to act within a reasonable time, then, in the case of the sole arbitrator, or in the case of the third arbitrator appointed by the judge, upon the application of either of the parties (previous notice of at least two clear days, having been given to the other party), the judge

Arbitrator dying, &c.

being satisfied by affidavit or otherwise of such death, disqualification, refusal or failure, may appoint another arbitrator in his place ; and, in the case of any arbitrator appointed by the parties, the company and party respectively, may each appoint an arbitrator in the place of the arbitrator so deceased or not acting, and if the company or the party refuses or neglects to appoint such arbitrator, on application by the company or the party, as the case may be, previous notice, of at least two clear days, having been given to the other party, the judge being satisfied by affidavit, or otherwise of such death, disqualification, refusal or failure or of the neglect to replace such arbitrator so deceased, or not acting, shall appoint another arbitrator in his place, and in the case of a third arbitrator appointed by the two arbitrators, the provisions of the seventeenth sub-section of the present section shall apply, but no recommencement or repetition of prior proceedings shall be required in any case ;

Company may desist, paying costs.

24. Any such notice for land, as aforesaid, may be desisted from, and new notice given, with regard to the same or other lands, to the same or any other party, but, in any such case, the liability to the party first notified, for all damages or costs by him incurred in consequence of such first notice and withdrawal, shall subsist ;

Surveyor or arbitrator not disqualified unless personally interested.

25. The surveyor or other person, offered or appointed as valuator or as sole arbitrator, shall not be disqualified by reason that he is professionally employed by either party, or that he has previously expressed an opinion as to the amount of compensation, or that he is related or of kin to any member of the company, provided he is not himself personally interested in the amount of the compensation ; and no cause of disqualification shall be urged against any arbitrator appointed by the judge after his appointment, but the objection must be made before the appointment, and its validity or invalidity shall be summarily determined by the judge ;

When disqualification must be urged.

26. No cause of disqualification shall be urged against any arbitrator appointed by the company or by the opposite party after the appointment of a third arbitrator ; and the validity or invalidity of any cause of disqualification urged against any such arbitrator, before the appointment of a third arbitrator, shall be summarily determined by the judge, on the application of either party, after two clear days' notice to the other, and if the cause is determined to be valid, the appointment shall be null, and the party offering the person so adjudged to be disqualified, shall be held not to have appointed an arbitrator ;

No objections admissible after third arbitrator has been appointed.

27. No award shall be invalidated from any want of form or other technical objection, if all the requirements of

Award not availed for want of form.

this act have been complied with, and if the award state clearly the sum awarded, and the lands or other property, right or thing for which such sum is to be the compensation; nor shall it be necessary that the party or parties to whom the sum is to be paid, be named in the award;

28. Upon payment or legal tender of the compensation or annual rent so awarded or agreed upon to the party entitled to receive the same, or upon the deposit in court of the amount of such compensation in the manner herein-after mentioned, the award or agreement shall vest in the company the power forthwith to take possession of the lands, or to exercise the right, or to do the thing for which such compensation or annual rent has been awarded or agreed upon; and if any resistance or forcible opposition be made by any person to their so doing, the judge may, on proof to his satisfaction of such award or agreement, issue his warrant to the sheriff of the district, or to a bailiff as he may deem most suitable, to put the company in possession, and to put down such resistance or opposition, which the sheriff or bailiff, taking with him sufficient assistance, shall accordingly do;

29. Such warrant may also be granted by any such judge without such award or agreement, on affidavit to his satisfaction that the immediate possession of the lands, or of the power to do the thing mentioned in the notice, is necessary to carry on some part of the railway, with which the company are ready forthwith to proceed;

b. But no judge shall grant any warrant under this subsection, unless ten days' previous notice of the time and place, when and where application for its granting will be made to him, has been served upon the owner of the land, or the party empowered to convey the land, or interested in the land sought to be taken, or which may suffer damage, from the taking of material sought to be exercised, or the doing of the thing sought to be done, by the railway company; nor shall any judge grant any such warrant, except upon the company giving security to his satisfaction, by depositing in an incorporated bank, to be designated by him, to the credit of the company, and of such proprietor or such person jointly, a sum larger than his estimate of the probable compensation, and not less than double the amount mentioned in the notice served under sub-section thirteen of this section; and the costs of the application to and of any hearing before the judge, shall be borne by the railway company, unless the compensation awarded shall be less than they had declared their readiness to pay; and the petition, writ of possession, certificate of deposit above mentioned, and all other documents connected with such incidental proceedings, shall remain of record in the

Possession may be taken on payment or tender, &c., of sum awarded.

Warrant of possession.

When warrant of possession may issue before award

On what conditions only, may judge grant such warrant.

Deposit of compensation required.

Petition, &c., to remain of record in Superior Court.

archives of the superior court of the district in which such proceedings were held, and a special register of such proceedings shall be kept by the prothonotary ;

Deposit to be paid out, only on Judge's order.

And no portion of such deposit or of the interest accruing thereon shall be reimbursed or paid to the company, or paid to the said owner or to the said person, without an order from the judge, who is authorized to issue such order, rendered in accordance with the arbitrators' award ;

proviso ; in case of absences.

Provided always that when such owner or party is absent from the district, without having a known agent, upon whom such service can be made, or when such owner is unknown, application for a warrant may be made, at any time after the expiration of the month's notice mentioned in sub-section fourteen, without any other or further notice ;

Recourse of unpaid proprietor.

And every proprietor, who shall not be paid in full, in capital, interest and costs, the amount to him awarded by the arbitrators, within two months after such award, may then exercise his recourse against the company to recover the property in and possession of his land, and this by ordinary civil action, in which he may demand the damages to which he may be entitled ;

When the compensation is to stand in place of the land.

30. The compensation for any lands, which may be taken without the consent of the proprietor, shall stand in the stead of such lands ; and any claim to or incumbrance upon the said lands, or any portion thereof, shall, as against the company, be converted into a claim to the compensation, or to a like proportion thereof, and they shall be responsible accordingly, whenever they have paid such compensation, or any part thereof, to a party not entitled to receive the same, saving always their recourse against such party ;

As to incumbrance, &c., upon lands, &c., purchased or taken.

31. If the company has reason to fear any claims, mortgages or incumbrances, or if any party to whom the compensation or annual rent, or any part thereof is payable, refuses to execute the proper conveyance and guarantee, or if the party entitled to claim the same cannot be found, or is unknown to the company, or if, for any other reason, the company deems it advisable, the company may pay such compensation into the hands of the prothonotary of the superior court for the district in which the lands are situated, with the interest thereon for six months, and may deliver to the prothonotary an authentic copy of the conveyance, or of the award, if there be no conveyance, and such award, shall thereafter be deemed to be the title of the company to the land therein mentioned ; and proceedings shall be taken to obtain the confirmation of the company's title, in the same manner as for other confirmations of title, except that, in addition to the usual contents

Confirmation of title.



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of the notice, the prothonotary shall state that the com-  
pany's title (that is to say; the conveyance or the award) is  
under this act, and shall call upon all persons entitled to  
the land, or representing or being the husbands of any  
parties interested, to file their claims to the compensation  
or to a part thereof, and such claims shall be received and  
adjudged upon by the court;

32. Such judgment of confirmation shall for ever bar all  
claims to the land, or any part thereof (including dower  
not yet open) as well as any mortgage or incumbrance  
upon the same; and the court shall make such order for  
the distribution, payment or investment of the compensa-  
tion and for the security of the rights of all parties inter-  
ested, as to right and justice, and the provisions of this  
act and of the special act and law, shall appertain;

33. The costs of proceedings, or any part thereof, shall  
be paid by the company, or by any other party, as the  
court may order; and, if judgment of confirmation be  
obtained in less than six months from the payment of the  
compensation to the prothonotary, the court shall direct a  
proportionate part of the interest to be returned to the com-  
pany, and if from any error, fault or neglect of the com-  
pany, it is not so obtained until after the six months have  
expired, the court shall order the company to pay the  
prothonotary the interest for such further period as may  
be right;

34. Whenever stone, gravel, earth, sand or water is  
required for the construction or maintenance or any rail-  
way, or any part thereof, the company may, in case they  
cannot agree with the owner of the lands on which the  
same are situated, for the purchase thereof, cause a land  
surveyor duly licensed as such, to make a map and des-  
cription of the property so required, and they shall serve  
a copy thereof, with their notice of arbitration, as in the  
case of expropriation for right of way; and all the provi-  
sions of this act, as to the service of the said notice of  
arbitration, compensation, deeds of sale, payment of money  
into court, the right to sell, and the right to convey, and  
the parties from whom lands may be taken, or who may  
sell, shall apply to the subject-matter of this sub-section  
and to the obtaining materials as aforesaid, and such pro-  
ceedings may be had by the company, either for the right  
to the fee-simple in the land from which the said material  
shall be taken, or for the right to take material for any  
time they shall think necessary; and the notice of arbi-  
tration, in case arbitration is resorted to, shall state the  
interest and powers required;

35. Whenever any gravel, stone, earth, sand or water is  
taken as aforesaid, at a distance from the line of the rail-  
road, &c.

Special notice.

Effect of judg-  
ment of confir-  
mation of title.Order for dis-  
tribution of  
compensation.Costs of pro-  
ceedings—By  
whom paid.  
 proviso, as to  
payment of in-  
terest to or by  
a company if  
judgment of  
confirmation  
obtained with-  
in six months.Power to take  
materials, for  
construction  
of road.Notice in case  
of arbitration.Power to make  
sidings, con-  
duits, &c.



way, the company may lay down the necessary sidings, water-pipes or conduits and tracks over or through any lands intervening between the railway and the lands on which such material or water is found, whatever the distance may be; and all the provisions of this act, except such as relate to the filing of plans and publication of notices, shall apply and may be used and exercised to obtain the right of way from the railway to the land on which such materials are situated; and such right of way may be acquired for a term of years or permanently, as the company may think proper; and the powers in this and the next preceding sub-section contained may, at all times, be exercised and used in all respects, after the railway is constructed, for the purpose of repairing and maintaining the railway;

May be exercised for repairing and maintaining road.

Provisions when the whole lot or parcel of land can be purchased with advantage.

36. Whenever for the purpose of procuring sufficient lands for stations or gravel-pits, or for constructing, maintaining and using the railway, any land may be taken under the compulsory provisions of this section, and by purchasing the whole of any lot or parcel of land over which the railway is to run, or of which any part may be taken under the said provisions, the company can obtain the same at a more reasonable price, or to greater advantage than by purchasing the roadway line only or only such part as aforesaid, the company may purchase, hold, use or enjoy the whole of such lot or parcel, and also the right of way thereto, if the same be separated from their railway, and may sell and convey the same, or any part thereof, from time to time, as they may deem expedient; but the compulsory provisions of this act shall not apply to the taking of any portion of such lot or parcel, not necessary for the purposes aforesaid;

Right of owner to proceed by way of arbitration.

37. If the company has taken possession of any land, or performs any work thereon, or has removed materials therefrom, without the amount of compensation having been agreed upon or determined by arbitration, the owner of the land or his representative may, himself, cause the valuation of the land or of the materials taken, to be made without prejudice to other legal recourse, if possession has been taken without his consent;

Notice to that effect, what to contain.

For such purpose he shall cause to be served, at the office of the company or on its president, a notice stating:

1. A description of the land or materials taken;
2. The price asked for such land or materials;
3. The name of a person who shall be appointed his arbitrator, if his demand is not granted;

Proceedings.

38. Subsections 16, 16, 17, 18, 20, 21, 22, 23, 24, 25, 26 and 27 of the present section shall, *mutatis mutandis*, apply to the proceedings taken by the owner in virtue of the preceding sub-section.

If the amount adjudged be not less than that demanded, Costs, by whom the costs of arbitration shall be borne by the company ; paid ; otherwise they shall be paid by the owner ;

In either case the costs shall be taxed by the judge, To be taxed if the parties do not agree upon the amount thereof, and this, and how. in the manner indicated in sub-section 20 of this section.

10. Whenever any railway company requires, at any Proceedings station or place on the line of such railway, more ample when more space for the convenient accommodation of the public and space is required for of the traffic on the railway than they then possess, or can take, without the consent of the proprietors thereof, the the accommo- company may cause a plan to be made of the additional station or ground required at such station or place for the purposes place. aforesaid, not being in actual use for similar purposes by any other railway company, and, for the purpose of making such plan, shall have the powers granted to railway companies for making surveys by section 7 of this act, and may transmit such plan to the commissioner of agriculture and public works, with an application supported by affidavit, on behalf of the company, referring to such plan, and stating that certain ground shewn thereon is necessary for the purposes aforesaid, and that no other ground, suitable for the purpose, can be acquired at such place on reasonable terras and with less injury to private rights, and requesting the commissioner of agriculture and public works to authorize the taking thereof for such purposes, under this act—of which application ten days' notice shall be Notice to be given. given to the owner of such property ; and the correctness of the plan and the truth of the allegations in such application shall be certified by the president or one of the directors of the company, and by their engineer, and such plan and statement shall be made and transmitted to the commissioner of agriculture and public works, in duplicate.

11. The commissioner of agriculture and public works Certificate of shall inquire into the correctness of the plan and the truth commissioner of agriculture and public works. of the allegations of the application aforesaid, and being satisfied thereof, shall grant a certificate to that effect, declaring it to be necessary, in the public interest, that the ground shewn on such plan, or any less quantity, should be acquired by the company ; and such certificate shall be annexed to one of the duplicates of the said plan and statement, and the other duplicate shall remain in the office of the commissioner of agriculture and public works.

12. Upon the granting of such certificate aforesaid by Effect of such certificate and application of the commissioner of agriculture and public works, and by

certain provisions of this act to the land certified as necessary.

virtue thereof, the company shall have power to take the ground shewn on the said plan as required for the purposes aforesaid, without the consent of the proprietors, and the company and all corporations of parties who could not otherwise convey the same to the company, shall have, with respect to any such ground, all the powers granted by the sections of this act, headed: "LANDS AND THEIR VALUATION," to railway companies, corporations, and parties who could not otherwise convey the same, with respect to lands, which may be taken without the consent of the proprietors thereof: and the enactments and provisions of the said sections, except such as refer to the map or plan and book of reference therein mentioned, or as limit the extent of land to be taken, shall apply and are hereby extended to the ground mentioned in the said certificate of the commissioner of agriculture and public works, and to all the proceedings connected with or consequent upon the acquiring or taking of such ground, or any part thereof, with or without the consent of the proprietor; and, if at any time thereafter, the company shall not require the whole or any portion of the land acquired under the above cited sections for railway purposes, then such land, as is not so required, shall be sold by public auction after thirty days' notice thereof in any newspaper.

Sale of land taken and not afterwards required.

Proof of certificate.

13. Any such certificate as aforesaid, signed by the commissioner of agriculture and public works, shall be received as authentic in all courts of law or equity, without proof of such signature or other evidence, unless its authenticity be called in question.

Application of four preceding sections.

14. The provisions of the four next preceding sections shall apply to every railway company heretofore, or which may be hereafter incorporated, and to any railway now built, or in course of construction or which may hereafter be built, as well as to those railways and railway companies to which this act is, by its provisions, declared to be generally applicable.

#### HIGHWAYS AND BRIDGES.

Railway not to be carried along any highway without leave from municipal authorities.

15. The railway shall not be carried along an existing highway, but merely cross the same in the line of the railway, unless leave has been obtained from the proper municipal or local authority therefor; and no obstruction of such highway with the works shall be made without turning the highway, so as to leave an open and good passage for carriages, and, on completion of the works, replacing the highway, under a penalty of not less than

forty dollars for any contravention ; but, in either case, the rail itself, provided it does not rise above nor sink below the surface of the road more than one inch, shall not be deemed an obstruction ;

2. No part of the railway which crosses any highway without being carried over by a bridge, or under by a tunnel, shall rise above or sink below the level of the highway more than one inch ; and the railway may be carried across or above any highway, within the limits aforesaid ;

Railway not to rise more than one inch above level of any highway, when crossing the same.

3. The span of the arch of any bridge erected for carrying the railway over or across any highway shall at all times be, and be continued of the open and clear breadth and space, under such arch, of not less than twenty feet, and of a height from the surface of such highway to the centre of such arch of not less than twelve feet ; and the descent under any such bridge shall not exceed one foot in twenty feet ;

Height and span of bridge over highways.

4. The ascent of all bridges erected to carry any highway over any railway, shall not be more than one foot in twenty feet increase over the natural ascent of the highway and a good and sufficient fence shall be built on each side of the bridge which shall not be less than four feet above the surface of the bridge ;

Ascent of bridges.

5. With respect to any overhead bridge for carrying a highway, and to any other overhead erection in existence all the time of the passing of the present act, upon any railway to which this act applies, if the lower beams or structures are not at a sufficient height above the surface of the rails to admit an open and clear headway of not less than seven feet between the top of the highest freight cars then running on the said railway, and the said lower beams or members, they shall, within twelve months from the said date, be reconstructed under the above conditions, together with proper approaches, at the cost of the railway company, or of the municipality or other owner of the said bridge, or of the said structure, and shall at all times thereafter, be maintained at such height. Each such railway company, before using higher freight cars than those running on their railway at the time of the passing of the present act, or at the time of the reconstruction of such bridge or other structure as above mentioned, shall after having first obtained the consent of the municipality or of the owners of such bridge or other structure, raise the same, and the approaches thereto if necessary, at the costs and charges of the said railway company, so as to admit as aforesaid, an open and clear headway of not less than seven feet between the top of the highest freight cars there-

Provisions with respect to erecting bridges over highways.

And as to the case when the company is about to use higher freight cars.

after to be used, and the bottom of the lower beams or members of such bridge or other structure ;

Highway bridges, &c., hereafter constructed over railways to be made of a certain height above the top of the highest freight cars and at whose expense.

b. And whenever an overhead bridge or any other erection or structure shall hereafter be constructed for the passage of a highway over a railway, or whenever it shall become necessary to reconstruct any highway bridge, or other erection or structure already built over a railway, or to make large repairs to the same, lower beams or members of the superstructure of any such bridge, or of any other structure and the approaches thereto, shall be constructed, or reconstructed at the cost of the railway company or of the municipality or other owner of the bridge, erection or structure, as the case may be, and shall at all times be maintained, at a sufficient height from the surface of the rails of the railway, to admit of an open and clear headway of not less than seven feet between the top of the highest freight cars, then running on the railway, and the lower beams or members of such bridge or other erection ; and thereafter any railway company, before using higher freight cars than those running on their railway at the time of the construction or reconstruction of, or large repair to, such bridge or other erection or structure, shall, after having first obtained the consent of the municipality, or of the owners of such highway, bridge, or other erection or structure, raise the said bridge, or other erection or structure, and approaches thereto, if necessary, at the cost and charges of the railway company, so as to admit, as aforesaid, an open and clear headway of not less than seven feet over the top of the highest freight cars thereafter to be used on the railway ;

Provisions in case of higher cars being used thereafter.

6. Signboards, stretching across or projecting over the highway crossed at a level by any railway, shall be erected and kept up at each crossing at such height as to leave sixteen feet from the highway to the lower edge of the signboard, and having the words : " railway crossing " painted on each side of the signboard, in letters not less than six inches in length ; and for any neglect to comply with the requirements of this sub-section, a penalty not exceeding forty dollars shall be incurred.

Precaution when railway crosses a highway.

#### FENCES.

Fences to be erected on each side of railway, with gates and crossings.

16. Within six months after any lands have been taken for the use of the railway, the company shall, if thereunto required by the proprietors of the adjoining lands, at its own costs and charges, erect and maintain on each side of the railway, fences of the height and strength of an ordinary division fence, with sliding gates, commonly called hurdle gates, with proper fastenings, and farm crossings

on the road, for the use of the proprietors of the lands adjoining the railway ; and also cattle-guards, at all road crossings, suitable and sufficient to prevent cattle and other animals from getting on the railway ;

2. Farm crossings shall be made and maintained by the <sup>Farm cross-</sup> company, upon the application of any owner of land, pre- <sup>sings.</sup> sent or future, on each such land ;

3. Until such fences and cattle-guards are duly made, <sup>Liability of</sup> the company shall be liable for all damages, which may <sup>company until</sup> be done by their trains or engines to cattle, horses or other <sup>cattle-guards</sup> animals on the railway ; <sup>are erected.</sup>

4. After the fences or guards have been duly made, and <sup>When to be</sup> while they are duly maintained, no such liability shall <sup>exempted.</sup> accrue for any such damages, unless negligently or wilfully done ;

5. If any person rides, leads or drives any horse or any <sup>Persons pro-</sup> other animal, or suffers any such horse or other animal to <sup>hibited from</sup> enter upon such railway, and within the fences and <sup>going on the</sup> guards, other than the farm crossings, without the consent <sup>track, &c.,</sup> of the company, he shall, for every such offence, forfeit <sup>with cattle,</sup> a sum not exceeding forty dollars, and shall also pay to the <sup>&c. ;</sup> party aggrieved all damages sustained thereby ;

6. No person, other than those connected with, or em- <sup>Not to walk</sup> ployed by the railway, shall walk along the track thereof, <sup>on the track.</sup> except where the same is laid across or along a highway ;

7. Each and every railway company, heretofore incor- <sup>Power to erect</sup> porated, or which may hereafter be incorporated, as well <sup>snow fences on</sup> as the government of this province, with respect to all <sup>adjoining</sup> railways constructed by or being the property or under <sup>lands.</sup> the control of the province, shall have the right, on and after the first day of November, in each year, to enter into and upon any lands of Her Majesty, or into and upon the lands of any corporation or person whatsoever, lying along the route or line of any railway, and to erect and maintain snow fences thereon, subject to the payment of such land damages (if any) as may be thereafter established, in the manner provided by law with respect to such railway, to have been actually suffered ; provided always, that any <sup>Proviso :</sup> snow fences so erected shall be removed on or before the first day of April then next following.

#### TOLLS.

17. Tolls shall be, from time to time, fixed and regulated <sup>Tolls to be</sup> by the by-laws of the company, or by the directors, if <sup>fixed by by-</sup> thereunto authorized by the by-laws, or by the <sup>laws or other-</sup> shareholders, <sup>wise.</sup> and may be demanded and received for all passengers and goods transported upon the railway or in the steam vessels to the undertaking belong-



ing, and shall be paid to such persons and at such places near to the railway, in such manner and under such regulations as the by-laws direct ;

How payment of tolls may be enforced.

2. In case of denial or neglect of payment on demand of any such tolls, or any part thereof, to such persons, the same may be sued for and recovered in any competent court, or the agents or servants of the company may seize the goods, for or in respect whereof such tolls ought to be paid, and detain the same until payment thereof ; and in the meantime the said goods shall be at the risk of the owners thereof ;

When, if tolls are not paid, goods detained may be sold.

3. If the tolls are not paid within six weeks, the company may sell the whole or any part of such goods, and, out of the money arising from such sale, retain the tolls payable and all charges and expenses of such detention and sale, rendering the surplus, if any there be, of the money realized at such sale, or such of the goods as remain unsold to the person entitled thereto ;

When goods may be sold.

4. If any goods remain in the possession of the company, unclaimed for the space of twelve months, the company may thereafter, and on giving public notice thereof by advertisement for six weeks in one or more newspapers of the locality in which such goods are, sell such goods by public auction, at the time and place to be mentioned in such advertisement, and out of the proceeds thereof, pay such tolls and all reasonable charges for storing, advertising and selling such goods ; and the balance of the proceeds, if any, shall be kept by the company for a further period of three months, to be paid over to any party entitled thereto ;

Proceeds how dealt with.

How balance to be disposed of.

5. In default of such balance being claimed before the expiration of the period last aforesaid, the same shall be paid over to the treasurer of the province, to be applied to the general purposes of the province, until claimed by the party entitled thereto ;

Tolls how raised and reduced.

6. All or any of the tolls may, by any by-law, be reduced and again raised, in whole or in part, by the by-laws, as often as deemed necessary for the interests of the undertaking ; but the same tolls shall be payable at the same time and under the same circumstances upon all goods and by all persons, so that no undue advantage, privilege or monopoly may be afforded to any person or class of persons by any by-laws relating to the tolls ;

A fraction of a mile or a ton how estimated.

7. In all cases, a fraction in the distance over which goods or passengers are transported on the railway shall be considered as a whole mile ; and for a fraction of a ton in the weight of any goods, a proportion of the tolls shall be demanded and taken, according to the number of quarters of a ton contained therein, and a fraction of a



quarter of a ton shall be deemed and considered as a whole quarter of a ton.

8. The directors shall, from time to time, print and stick up, or cause to be printed and stuck up, in the office, and in all and every of the places where the tolls are to be collected, in some conspicuous place there, a printed board or paper exhibiting all the tolls payable, and particularizing the price or sum of money to be charged or taken for carriage of any matter or thing ;

9. No tolls shall be levied or taken until approved of by the Lieutenant Governor in council, nor until after two consecutive weekly publications in the Quebec Official Gazette of the by-law establishing such tolls, and of the order in council approving thereof ;

10. Every by-law fixing and regulating tolls shall be subject to revision by the Lieutenant Governor in council, from time to time, after approval thereof ; and after an order in council, reducing the tolls fixed and regulated by any by law, has been twice published in the Quebec Official Gazette, the tolls mentioned in such order in council shall be substituted for those mentioned in the by-law, so long as the order in council remains unrevoked ;

11. The Legislature may, from time to time, reduce the tolls upon the railway, but not without consent of the company, or so as to reduce to less than fifteen per cent. per annum the profits on the capital actually expended in its construction ; nor unless, on an examination made by the commissioner of agriculture and public works of the amount received and expended by the company, the net income from all sources, for the year then last past, is found to have exceeded fifteen per cent upon the capital so actually expended ;

12. No by-law of any railway company, by which any tolls are to be imposed or altered, or by which any party other than the members, officers and servants of the company are intended to be bound, shall have any force or effect until the same has been approved and sanctioned by the Lieutenant Governor in council.

#### GENERAL MEETINGS OF SHAREHOLDERS.

13. The shareholders may assemble together at general meetings for purposes connected with or belonging to the undertaking, and at any annual general meeting, may elect directors in the manner provided by the next succeeding section. And after thirty days following the general annual meeting of the shareholders for the election of directors of the different companies, which will occur after the coming into force of this act and on the day fixed

Table of tolls to be stuck up in offices and cars.

Tolls to be approved by Lieut. Gov. and published in Que. Off. Gazette.

Lieut.-Gov. may revise by laws fixing tolls.

When the Legislature may reduce tolls on railways.

By-laws imposing tolls to be approved by Lieutenant Governor in council.

Shareholders may hold general meetings.

May be called upon requisition of certain proportion of shareholders

by the charter of each company, it shall be the duty of the board of directors and of the secretary to call a general meeting of the shareholders whenever required so to do by a requisition in writing signed by one or more shareholders, holding at least one-half of the subscribed capital stock of the company, for the transaction of such business as may be set forth in the said requisition, which business shall be mentioned in the notice calling the meeting.

PRESIDENT AND DIRECTORS—THEIR ELECTION AND DUTIES.

Board of directors to be elected.

19. A board of directors of the undertaking to manage its affairs, the number whereof shall be stated in the special act, shall be chosen annually by a majority of the shareholders voting at such election at a general meeting, the time and place for which shall be appointed by the special act, and, if such election is not held on the day appointed, the directors shall cause such election to be held<sup>a</sup> within as short a delay as possible after the day appointed ;

Who are entitled to vote.

2. No person shall be admitted to vote at such subsequent meeting except those who would have been entitled to vote had the election been held on the day when it ought to have been held ;

Vacancies how to be filled up.

3. Vacancies in the board of directors shall be filled in the manner prescribed by the by-laws.

Who qualified to be a director.

4. No person shall be a director unless he is a stockholder, owning stock absolutely in his own right, and qualified to vote for directors at the election at which he is chosen ;

Calling of special meetings, &c.

5. The method of calling general meetings, and the time and place of the first meeting of stockholders, for the appointment of directors, shall be determined and settled in the special act ; nevertheless, if the number of shareholders does not exceed fifty, and if they all reside in the Dominion, such meetings, besides the manner prescribed by the special act may be convened by a registered letter, postage paid, and deposited in the post-office at least fifteen days before that of the meeting.

Proviso in certain cases.

6. The number of votes to which each shareholder shall be entitled on every occasion when the votes of the members are to be given, shall be in the proportion of the number of shares held by him, unless otherwise provided by the special act ;

Votes to be in proportion to shares.

Shareholders may vote by proxy.

7. All shareholders, whether resident in the province or elsewhere, may vote by proxy, if they see fit ; provided that such proxy produce, from his constituent an appointment in writing, in the words or to the effect following, that is to say :

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I, \_\_\_\_\_, of \_\_\_\_\_, one of the shareholders of the \_\_\_\_\_ railway company, do hereby appoint \_\_\_\_\_, of \_\_\_\_\_, to be my proxy, and in my absence to vote or give my assent to any business, matter or thing relating to the said undertaking, that may be mentioned or proposed at any meeting of the shareholders of the said company, or any of them, in such manner as he, the said \_\_\_\_\_, thinks proper. In witness whereof, I have hereunto set my hand and seal, the \_\_\_\_\_ day of \_\_\_\_\_, in the year \_\_\_\_\_.

8. The votes by proxy shall be as valid as if the principals had voted in person ; and every matter or thing proposed or considered in any public meeting of the shareholders, shall be determined by the majority of votes and proxies then present and given, and all decisions and acts of any such majority shall bind the company, and be deemed the decisions and acts of the company ;

9. The directors appointed at the last election, or those appointed in their stead, in case of vacancy, shall remain in office until the next ensuing election of directors ;

10. In case of the death, absence or resignation of any of the directors, others may be appointed in their stead by the other directors ; but if such appointment be not made, such death, absence or resignation shall not invalidate the acts of the remaining directors ;

11. The directors shall, at their first or at some other meeting after the election, elect one of their number to be the president of the company, who shall always, when present, be the chairman of and preside at all meetings of the directors, and shall hold his office until he ceases to be a director, or until another president has been elected in his stead ; and they may, in like manner, elect a vice-president, who shall act as chairman in the absence of the president ;

12. The directors at any meeting at which not less than a quorum, to be settled by the special act, are present, shall be competent to use and exercise all and any of the powers vested in them ;

13. The act of a majority of a quorum of the directors present at any meeting regularly held, shall be deemed the act of the directors ;

14. No directors shall have more than one vote at any meeting, except the chairman, who shall, in case of a division of equal numbers, have the casting vote ;

15. The directors shall be subject to the examination and control of the shareholders at their annual meetings, and be subject to all by-laws of the company, and to the orders and directions, from time to time, made at the annual or special meetings, such orders and directions not being

Form of proxy.  
Votes by proxy to be valid.  
Term of office of directors.  
Vacancies how filled.  
President.  
Term of office.  
Quorum.  
Acts of majority of quorum to bind the whole.  
Casting vote.  
Directors to be subject to shareholders and by-laws.

contrary to any express directions or provisions of this act or the special act ;

Officers of company cannot be directors or contractors.

16. No person holding any office, place or employment in or being concerned or interested in any contracts under or with the company, shall be capable of being chosen a director, or of holding the office of director, nor shall any person, being a director of the company, enter into, or be, directly or indirectly, for his own use and benefit, interested, in any contract with the company, not relating to the purchase of land necessary for the railway, or be or become a partner of any contractor with the company ;

By-laws for management of stock.

17. The directors shall make by-laws for the management and disposition of the stock, property, business and affairs of the company, not inconsistent with the law, and for the appointment of all officers, servants and artificers, and prescribing their respective duties ;

May appoint officers.

18. The directors shall, from time to time, appoint such officers as they deem requisite, and shall take sufficient security, by one or more penal bonds, or by the guarantee of the Canada Guarantee Company, or of any society incorporated for like purposes, as they may deem expedient or otherwise, from the manager and officers for the time being, for the safe keeping and accounting for by them respectively of the moneys raised by virtue of this act and the special act, and for the faithful execution of their offices, as the directors think proper ;

Vice-president to act in the absence of the president.

19. In case of the absence or illness of the president, the vice-president shall have all the rights and powers of the president and may sign all notes, bills, debentures and other instruments, and perform all acts, which by the regulations and by-laws of the company, or by the acts incorporating the company, are required to be signed, performed and done by the president ;

Absence of the president may be entered in the minutes and certified, &c.

20. The directors may, at any meeting, require the secretary to enter such absence or illness among the proceedings of such meeting, and a certificate thereof, signed by the secretary, shall be delivered to any person or persons requiring the same, on payment to the treasurer of one dollar, and such certificate shall be taken and considered as *prima facie* evidence of such absence or illness, at and during the period in the said certificate mentioned, in all proceedings in courts of justice or otherwise ;

Directors to cause annual accounts to be rendered.

21. The directors shall cause to be kept, and annually on the thirty-first day of December to be made up and balanced, a true, exact and particular account of the moneys collected and received by the company or by the directors or managers thereof, or otherwise, for the use of the company, and of the charges and expenses attending the erecting, making, supporting, maintaining and carry-

ing on of the undertaking, and of all other receipts and expenditures of the company or the directors ;

22. Whenever, by the terms of any special act incorporating any wooden or iron railway company, it is required that a certain proportion of the stock of such company shall have been subscribed, before the calling of a meeting of shareholders for the purpose of electing directors, it shall be sufficient that such proportion of stock shall have been subscribed before such election takes place, even though it was not subscribed when such meeting was called, and every election already had under any such special act shall be valid, provided that before it took place, such proportion of stock had been subscribed ;

23. No mayor, warden or other chief officer, or other person or persons representing any municipality, or corporation of any town, having or taking stock in any railway company shall, directly or indirectly, vote on the election or appointment of the directors of any railway incorporated previous to the passing of this act, or which may hereafter become incorporated ;

24. There shall be paid, on every share hereafter subscribed in any iron or wooden railway company, incorporated by act of the legislature of this province, an amount of at least ten per cent, and that within six months after the subscription for each such share :

25. Within six months after the coming into force of this act, an amount of at least ten per cent shall be paid up, on every share already subscribed since the first of July, one thousand eight hundred and sixty-seven, in any iron or wooden railway company, incorporated by act of the legislature of this province, upon which, at the time of the coming into force of this act, a like amount of ten per cent shall not have been yet paid up ;

26. No owner or holder of shares in any iron or wooden railway company, already incorporated since the first of July, one thousand eight hundred and sixty-seven, or which shall hereafter be incorporated by act of the legislature of this province, shall, in any case, vote, by reason of any of his shares, unless he has paid upon such share, an amount of at least ten per cent ;

27. These provisions shall not apply to subscriptions of stock in railway companies, by municipalities.

#### CALLS.

28. The directors may, from time to time, make such calls of money upon the respective shareholders, in respect of the amount of capital respectively subscribed or owing by them, as they deem necessary, and thirty days' notice

at the least shall be given of each call ; and no call shall exceed the prescribed amount determined in the special act ; or be made at a less interval than two months from the previous call, nor shall a greater amount be called in, in any one year, than the amount prescribed in the special act ;

Notices of meetings, how published.

2. All notices of meetings or of calls upon the shareholders of the company shall be published weekly in the Quebec Official Gazette, which shall be conclusive evidence of the sufficiency of such notice ;

Payment of calls, how to be made.

3. Every shareholder 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 company or the directors ;

Interest to be chargeable on overdue calls.

4. If, before or on the day appointed for payment, any shareholder does not pay the amount of the call, he shall be liable to pay interest for the same, from the day appointed for the payment thereof to the time of the actual payment ;

Amount of call may be recovered by suit.

5. If, at the time appointed for the payment of any call, any shareholder fails to pay the amount of the call, he may be sued for the same in any court of competent jurisdiction, and the same may be recovered with lawful interest from the day on which the call became payable ;

What allegations and formalities necessary in actions for calls.

6. In any action or suit to recover any money due upon any call, it shall not be necessary to set forth the special matter, but it shall be sufficient to declare that the defendant is the holder of one share or more, stating the number of shares, and is indebted in the sum of money to which the calls in arrear 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 company by virtue of the special act ;

Certificate of proprietorship *prima facie* evidence.

7. The certificate of proprietorship of any share shall be admitted in all courts, as *prima facie* evidence of the title of any shareholder, his executors, administrators, successors or assigns, to the share therein specified ;

Proviso.

8. But the want of such certificate shall not prevent the holder of any share from disposing thereof ;

Penalty for refusal to pay calls.

9. Any person neglecting or refusing to pay a rateable share of the calls, as aforesaid, for the space of two months after the time appointed for the payment thereof, shall forfeit his shares in the undertaking, and all the profit and benefit thereof, which forfeiture shall go to the company for the benefit thereof ;

When only forfeiture of shares to be taken advantage of.

10. No advantage shall be taken of the forfeiture, unless the same is declared to be forfeited at a general meeting of the company, assembled at any time after such forfeiture has been incurred ;

11. Every such forfeiture shall be an indemnification to and for every shareholder so forfeiting, against all actions, suits or prosecutions whatever, commenced or prosecuted for any breach of contract or other agreement between such shareholder and the other shareholders, with regard to carrying on the undertaking ;

Effect of forfeiture as to liabilities.

12. The directors may sell, either by public auction or private sale, and in such manner and on such terms as to them may seem meet, any shares so declared to be forfeited, and also any share remaining unsubscribed for in the capital stock of the company, or pledge such forfeited or unsubscribed shares for the payment of loans or advances made or to be made thereon, or of any sums of money borrowed or advanced by or to the company ;

Directors may sell forfeited shares.

13. A certificate of the treasurer of the company that the forfeiture of the shares was declared, shall be sufficient evidence of the fact, and of their purchase by the purchaser ; and such certificate, with the receipt of the treasurer for the price of such shares, shall constitute a good title to the shares, and the certificate shall be, by the said treasurer, enregistered in the name and with the place of abode and occupation of the purchaser, and shall be entered in the books required to be kept by the by-laws of the company ; and such purchaser shall thereupon be deemed the holder of such shares, and shall not be bound to see to the application of the purchase-money, nor shall his title to such shares be affected by any irregularity in the proceedings in reference to such sale, and any shareholder may purchase any shares so sold ;

Certificate of treasurer to be evidence of forfeiture, and of title of purchaser.

14. Shareholders, willing to advance the amount of their shares, or any part of the money due upon their respective shares, beyond the sums actually called for, may pay the same, and upon the principal moneys so paid in advance, or so much thereof as, from time to time, exceeds the amount of the calls then made upon the shares in respect to which such advance is made, the company may pay such interest at the legal rate of interest for the time being, as the shareholders paying such sum in advance and the company agree upon ; but such interest shall not be paid out of the capital subscribed.

Interest to shareholder paying in advance.

#### DIVIDENDS.

21. At the general meetings of the shareholders of the undertaking, from time to time holden, a dividend shall be made out of the clear profits of the undertaking, unless such meetings declare otherwise :

Declaration of dividend ;

2. Such dividend shall be at and after the rate of so much per share upon the several shares held by the share-

At so much per share.



- holders in the stock of the company, as such meeting may think fit to appoint or determine ;
- Dividends not to impair the capital.** 3. No dividend shall be made whereby the capital of the company is in any degree reduced or impaired, or be paid out of such capital, nor shall any dividend be paid in respect of any share, after a day appointed for payment of any call for money, in respect thereof, until such call has been paid ;
- Directors may pay interest on sums called up.** 4. The Directors may, in their discretion, until the railroad is completed and opened to the public, pay interest at any rate not exceeding the legal rate per annum, on all sums called up in respect of the shares, from the respective days on which the same have been paid, such interest to accrue and be paid at such times and places as the Directors appoint for that purpose ;
- No interest on shares in arrear.** 5. No interest shall accrue to the proprietors of any share upon which any call is in arrear in respect of such shares or upon any other share held by the same shareholder, while such call remains unpaid.

## SHARES AND THEIR TRANSFER.

- Shareholders may dispose of shares.** 22. Shares in the undertaking may, by the parties, be sold and disposed of by instrument in writing, to be made in duplicate, one part of which shall be delivered to the directors, to be filed and kept for the use of the company, and an entry thereof shall be made in a book to be kept for that purpose ; and no interest on the shares transferred shall be paid by the purchaser until such duplicate is so delivered, filed and entered ;
- Form of sale.** 2. Sales shall be in the form following, varying the names and descriptions of the contracting parties, as the case may require ;
- I, A. B., in consideration of the sum of \_\_\_\_\_, paid to me by C. D., hereby do sell and transfer to him \_\_\_\_\_ share (or shares) of the stock of the \_\_\_\_\_, to hold to him, the said C. D., his heirs, executors, administrators and assigns, subject to the same rules and orders, and on the same conditions that I held the same immediately before the execution hereof. And I, the said C. D., do hereby agree to accept of the said \_\_\_\_\_ share (or shares,) subject to the same rules, orders and conditions. Witness our hands this \_\_\_\_\_ day of \_\_\_\_\_ in the year 18 \_\_\_\_\_
- Stock to be personal estate—No transfer until calls paid, or of part of a share.** 3. The stock of the company shall be deemed personal estate ; but no shares shall be transferable until all previous calls thereon have been fully paid in, or the said shares have been declared forfeited for the non-payment of calls thereon, and no transfer of less than a whole share shall be valid ;

4. If any share in the company be transmitted by the death, bankruptcy or last will, donation or testament, or by the intestacy of any shareholder, or by any lawful means other than the transfer hereinbefore mentioned, the party to whom such share is transmitted shall deposit, in the office of the company, a statement in writing, signed by him, declaring the manner of such transmission, together with a duly certified copy or probate of such will, donation or testament, or sufficient extracts therefrom, and such other documents or proof as may be necessary; and without such proof the party shall not be entitled to receive any share of the profits of the company, nor vote in respect of any such share as the holder thereof;

5. The company shall not be bound to see to the execution of any trust, whether express, implied or constructive, to which any of the shares may be subject, and the receipt of the party in whose name any share stands in the books of the company, or if it stand in the name of more parties than one, the receipt of one of the parties named in the register of shareholders shall be a sufficient discharge to the company for any dividend or other sum of money payable in respect of the share, notwithstanding any trust to which the share may then be subject, and whether or not the company have had notice of trusts, and the company shall not be bound to see to the application of the money paid upon such receipts;

6. The funds of the company shall not be employed in the purchase of any stock in their own or in any other company.

#### SHAREHOLDERS.

23. Each shareholder shall be individually liable to the creditors of the company, to an amount equal to the amount unpaid on the stock held by him, for the debts and liabilities thereof, and until the whole amount of his stock has been paid up; but shall not be liable to an action therefore, before an execution against the company has been returned unsatisfied, in whole or in part;

2. Municipal corporations, being duly empowered so to do by the laws of the province, and subject to the limitations and restrictions by such laws prescribed, may subscribe for any number of shares in the capital stock of the company; and the mayor, warden or other head of any such corporation holding stock to the amount of twenty thousand dollars or upwards, shall be *ex officio* one of the directors of the company, in addition to the number of directors authorized by the special act;

Proviso as to appointment of director by parish and village corporations who have taken stock.

But when in a parish comprising a parish municipality and a village municipality, the council of both municipalities shall have agreed as to the subscription of shares to a railway company, which entitles to a representation on the board of direction of such company, the mayor of each such two municipalities shall alternately be a director *ex officio*, in such company, each for one year, commencing and changing on the first of January of each year, and to be commenced by the mayor of the parish municipality ; provided that the amount of stock or shares thus owned by each of the two municipalities, be at least ten thousand dollars ;

Power of such director.

3. Any such director shall have the same rights as directors of the municipalities which have subscribed to twenty thousand dollars of shares ;

Account of names, &c., of shareholders, to be kept.

4. A true and perfect account of the names and places of abode of the several shareholders shall be prepared and entered in a book to be kept for that purpose.

#### BY-LAWS, NOTICES, &C.

By-laws, to be put into writing and signed by chairman.

24. All by-laws, rules and orders regularly made, shall be put into writing and signed by the chairman or person presiding at the meeting at which they are adopted, and shall be kept in the office of the company ; and a printed copy of so much of them, as relates to or affects any party, other than the members or servants of the company, shall be affixed openly in every place where tolls are to be gathered, and a printed copy of so much of them, as relates to the safety and liability of passengers, shall be openly affixed in each passenger car, and in like manner. so often as any change or alteration is made to the same ; and any copy of the same, or of any of them, certified as correct by the president or secretary, shall be evidence thereof in any court ;

By-laws, to be submitted to Lieutenant Governor.

2. All such by-laws, rules and orders shall be submitted, from time to time, to the Lieutenant Governor for approval ;

Copies of minutes to be *primæ facie* evidence.

3. Copies of the minutes, proceedings and resolutions of the shareholders of the company, at any general or special meeting, and of the minutes of proceedings and resolutions of the directors, at their meetings, extracted from the minute-books kept by the secretary of the company, and by him certified to be true copies extracted from such minute-books, shall be evidence of such proceedings and resolutions in any court ;

Notices by secretary, valid.

4. All notices given by the secretary of the company, by order of the directors, shall be deemed notices by the directors and company.

## WORKING OF THE RAILWAY.

25. Every servant of the undertaking, employed in a passenger train or at a station for passengers, shall wear upon his hat or cap a badge, which shall indicate his office, and he shall not, without such badge, be entitled to demand or receive from any passenger any fare or ticket, or to exercise any of the powers of his office, or to interfere in any manner, with any passenger, or his baggage or property;

2. The trains shall be started and run at regular hours, to be fixed by public notice, and shall furnish sufficient accommodation for the transportation of all such passengers and goods as are, within a reasonable time, previous thereto, offered for transportation, at the place of starting, and at the junctions of other railways, and at usual stopping-places, established for receiving and discharging way-passengers and goods from the trains; and in every train containing more than one second-class car for the transportation of passengers, there shall be one second-class car, in which smoking shall be prohibited, and when a train contains only one second-class car for the transportation of passengers, a part of such car shall be divided off, in which smoking shall be prohibited;

3. Such passengers and goods shall be taken, transported and discharged at, from and to such places, on the due payment of the toll, freight or fare legally authorized therefor;

4. The party aggrieved by any neglect or refusal in the premises, shall have an action therefor against the company; from which action the company shall not be relieved by any notice, condition or declaration, if the damage arises from any negligence or omission of the company or of its servants;

5. Checks shall be affixed by an agent or servant to every parcel of baggage having a handle, loop or fixture of any kind thereupon, and a duplicate of such check shall be given to the passenger delivering the same;

6. If such check be refused on demand, the company shall pay to such passenger the sum of eight dollars, to be recovered in a civil action; and further, no fare or toll shall be collected or received from such passenger, and if he has paid his fare, the same shall be refunded by the conductor in charge of the train;

7. Any passenger producing such check may himself be a witness, in any suit brought by him against the company to prove the contents and value of his baggage not delivered to him;

- Baggage cars, not to be in rear of passenger cars. Locomotives, to have bells and whistles; To be rung or sounded at every crossing.
8. The baggage, freight, merchandise or lumber cars, shall not be placed in rear of the passenger cars.
9. Every locomotive engine shall be furnished with a bell of at least thirty pounds weight, and with a steam whistle;
10. The bell shall be rung, or the whistle sounded at the distance of at least eighty rods from every place where the railway crosses any highway, and be kept ringing or be sounded at short intervals, until the engine has crossed such highway, under a penalty of eight dollars for every neglect thereof, to be paid by the company, who shall also be liable for all damages sustained by any person by reason of such neglect, and one half of such penalty and damages shall be chargeable to and collected by the company from the engineer having charge of such engine and neglecting to sound the whistle or ring the bell as aforesaid;
- Penalty upon driver or conductor, being intoxicated.
11. Any person, in charge of a locomotive engine or acting as the conductor of a car or train of cars, who is intoxicated on the railway, shall be liable to a fine of not less than twenty-five nor more than one hundred dollars;
12. Any passenger refusing to pay his fare, may, by the conductor of the train and the servants of the company, be put out of the train, with his baggage, at any usual stopping place, the conductor first completely stopping the train, and using no unnecessary force;
- Passenger, if injured when on platform of cars, &c., to have no claim.
13. Any person injured while on the platform of a car or on any baggage, wood or freight car, in violation of the printed regulations, posted up at the time in a conspicuous place inside of the passenger cars then in the train, shall have no claim for the injury, provided room inside of such passenger cars, sufficient for the proper accommodation of the passengers, was furnished at the time;
- As to goods of dangerous nature.
14. No passenger shall be entitled to carry, or require the company to carry upon their railway, *aqua-fortis*, oil of vitriol, gunpowder, nitro-glycerine, or any other goods which, in the judgment of the officers of the company, may be of a dangerous nature; and if any person sends by the said railway any such goods, without, at the time of so sending the said goods, distinctly marking their nature on the outside of the package containing the same, and otherwise giving notice in writing to the book-keeper or other servant of the company with whom the same are left, he shall forfeit to the company the sum of five hundred dollars for every such offence;
- Dangerous goods may be refused.
15. The company may refuse to take any package or parcel, which they suspect to contain goods of a dangerous nature, or may require the same to be opened to ascertain the fact.

The company shall not be permitted to carry any such merchandise of a dangerous nature otherwise than in cars specially set apart for the same and upon both sides of each of such cars the words: "*Dangerous explosives*," shall be painted in large letters. And for each time that the company shall fail to comply with the present provision it shall incur a penalty of five hundred dollars in favor of whomsoever may sue for the recovery thereof.

In what manner such goods must be carried.

TRAINS OVERDUE.

26. It shall be the duty of every railway company, upon whose road there is a telegraph line in operation, to have a blackboard put upon the outside of a station-house, over the platform of the station, in some conspicuous place at each station of such company at which there is a telegraph office; and when any passenger train is overdue for half an hour at any such station, according to the time table of such company, it shall be the duty of the station master or person in charge at such station to write or cause to be written with white chalk on such blackboard, a notice in English and French, stating to the best of his knowledge and belief the time, when such overdue train may be expected to reach such station; and if when that time has come, the train has not reached the station, it shall be the duty of the station master or person in charge of the station to write or cause to be written on the blackboard in like manner a fresh notice, stating to the best of his knowledge and belief the time, when such overdue train may then be expected to reach such station. And every such railway company, station master or person in charge at any such station, shall be liable to a penalty not exceeding five dollars for any wilful neglect, omission or refusal to obey the provisions aforesaid; and any proceeding for the recovery of any such penalty may be brought before any two Justices of the Peace, or before the Circuit Court of the district or county in which such station is situate.

Duty of station agent, &c., when a train is overdue.

Notice to be posted up, and what to show

Penalty for contravention. Suits for penalty how brought.

The penalty recoverable under the provisions of this section shall belong to the person suing therefor; and every proceeding brought by virtue of this section shall be commenced within one month following the commission of the offence and not after; but nothing in this section shall prejudice the right of any person to the recovery of damages from any such railway company, by reason of detention of trains as aforesaid; and every such railway company is hereby required to have a printed copy of this section posted up in a conspicuous place at each of its stations at which there is a telegraph office.

Application of penalty and limitations of action. Proviso.

This section to be posted up at stations.



## ACTIONS FOR INDEMNITY ; AND FINES AND PENALTIES AND THEIR PROSECUTION.

**27.** All suits for indemnity for any damage or injury sustained by reason of the railway, shall be instituted within twelve months next after the time of such supposed damage sustained, and not afterwards ; and the defendants may plead the general issue, and give this act and the special act and the special matter in evidence at any trial to be had thereupon, and may prove that the same was done in pursuance of and by the authority of this act or the special act ;

**2.** All fines or forfeitures imposed by Part First of this act, or the special act, or by any by-law, except those for the levying and recovering of which special provision is herein made, shall be recovered, in a summary manner, before any one or more Justice or Justices of the Peace for the district, county or place where the act occurred ;

**3.** All the fines, forfeitures and penalties recovered under the next preceding paragraph, the application whereof is not hereinbefore particularly directed, shall be paid into the hands of the treasurer of the company, to be applied to the use thereof ;

**4.** Any contravention of this act or of the special act by the company, although considered to be a misdemeanor, and punishable accordingly, shall not exempt the company, if they be the offending party, from the forfeiture by this act and the special act, of the privileges conferred on them by the said acts, if by the provisions thereof or by law, the same be forfeited by such contravention.

## GENERAL PROVISIONS.

**28.** Railway companies shall have the right to establish telegraphic lines along the whole extent of the railway, at such places along the line and with offices at such places as shall be determined upon by the directors, and such telegraphs may be used by the public generally, in conformity with the rules and regulations that the company may adopt ;

**2.** No contracts for works of construction or maintenance of the railways, except works of ordinary repair, or of immediate necessity, shall be entered into, until after tenders for such works respectively have been invited by public notice therefor, given for at least four weeks in some newspaper published in the place nearest to that at which the work is required to be done, but the company shall not be compelled to accept any such tender ;



LITIES AND

or injury instituted by the supposed defendants and the any trial same was this act or

est of this those for provision is y manner, Peace for red; ered under whereof is paid into applied to

cial act by demeanor, e company, re by this ed on them by law, the

to establish railway, at such places s, and such lly, in con- e company

maintenance r, or of im- fter tenders l by public ks in some at at which any shall

3. If the construction of the railway be not commenced, and ten per cent, on the amount of the capital be not expended thereon, within three years after the passing of the special act, or if the railway is not finished and put in operation within ten years from the passing of such special act, the corporate existence and powers of the company shall cease;

Period for subscription of capital and completion of railway.

4. After the opening of the railway or any part thereof to the public, and within the first fifteen days after the opening of each session of the legislature of this province, an account shall be annually submitted to the three branches thereof, containing a detailed and particular account, attested upon oath of the president, or in his absence, of the vice-president, of the moneys received and expended by the company, and a classified statement of the passengers and goods transported by them, with an attested copy of the last annual statement;

Account, to be submitted to the legislature.

5. No further provisions, which the legislature may hereafter make with regard to the form or details of such account, or the mode of attesting or rendering the same, shall be deemed an infringement of the privileges hereby granted to the company;

Form of details of account may be varied by the legislature.

6. The legislature may, at any time, annul or dissolve any corporation formed under this act; but such dissolution shall not take away or impair any remedy given against any such corporation, its shareholders, officers or servants, for any liability which had been previously incurred;

The legisla-  
ture may dis-  
solve any cor-  
poration form-  
ed under this  
act.

7. Nothing herein contained shall affect in any manner the rights of Her Majesty, or of any person or of any body politic or corporate, such only excepted as are herein mentioned.

Saving of Her Majesty's rights.

RAILWAY STATISTICS

29. In this and the five next following sections, the term "company," means a company incorporated either before or after the passing of this act, for the purpose of constructing, maintaining or working a railway in this province, and includes any individual or individuals not incorporated, who are owners or lessees of a railway in the said province or parties to an agreement for working a railway in the same;

Word "com-  
pany," what  
to mean.

The term "person," includes a body corporate.

"Person."

30. Every company shall annually prepare returns of their capital in accordance with the form contained in the first appendix to this act, and a copy of such returns, signed by the president or other head officer of the company resident in the province, and by the officer of the com-

Companies, to furnish yearly returns to government, and in what form and with what details.

pany responsible for the correctness of such return, or any part thereof, shall be forwarded by the company to the commissioner of agriculture and public works, not later than three months after the end of the calendar year; together with a copy of the then last annual return of the traffic and working expenditure, which every such company is required to keep, in accordance with the provisions of their respective acts of incorporation, to be verified in manner and form aforesaid, and furnished in such form as the commissioner of agriculture and public works shall approve of or prescribe. Any company which fails to forward the said returns in accordance with the provisions of this section, shall be liable to a penalty not exceeding ten dollars for every day during which such default continues.

Penalty for not doing so.

Weekly returns for publication to be furnished by company and copies to be posted up in head office.

**31.** Every company shall, weekly, prepare returns of their traffic for the last preceding seven days, in accordance with the form contained in the second appendix to this act, and a copy of such returns, signed by the officer of the company, responsible for the correctness of such returns, shall be forwarded by the company, to the commissioner of agriculture and public works, within seven days, and another copy of each of such returns, signed by the same officer, shall be posted up by the company, within the same delay, and kept posted up for seven days, in some conspicuous place in the most public room in the head office of the company in the province, and so as the same can be perused by all-comers; and free access thereto shall be allowed to all-comers during the usual hours of business, at such office on each day of the said seven, not being a Sunday or holiday;

Penalty for not doing so.

And every company which fails to forward the said weekly return to the commissioner of agriculture and public works, or which fails to post up and keep posted up a copy thereof, as aforesaid, and allow free access thereto, as aforesaid, shall be liable to a penalty not exceeding ten dollars for every day during which such default continues.

Report to the legislature.

**32.** The commissioner of agriculture and public works shall lay before both Houses of the Legislature, within twenty-one days from the commencement of each session, the returns made and rendered to him, in pursuance of section 30 of this Act.

Returns to be privileged communications.

**33.** All returns made in pursuance of any of the provisions of this act shall be privileged communications, and shall not be evidence in any court whatsoever.

## PART SECOND.

## THE RAILWAY COMMITTEE.

34. The Lieutenant Governor may, from time to time, appoint such members of the Executive Council, to the number of four at least, as he may see fit, to constitute the Railway Committee of the Executive Council, and such committee shall have the powers and perform the duties assigned to them by this Act.

Railway committee, constituted.

Powers and duties.

35. The railway committee shall appoint one of its members to be chairman, and the assistant commissioner of agriculture and public works, or some other fit person appointed by the committee, shall be the secretary of the committee.

Shall appoint chairman and secretary.

36. No railway or portion of any railway shall be opened for the public conveyance of passengers, until one month after notice in writing, of the intention to open the same, has been given by the company to whom the railway belongs to the railway committee, and until ten days after notice in writing has been given by the company, to the railway committee, of the time when the railway or portion of railway will be, in the opinion of the company, sufficiently completed for the safe conveyance of passengers, and ready for inspection.

Railway, not to be opened till after one month's notice to railway committee of intention to open the same.

37. If any railway or portion of a railway, be opened without such notices, the company to whom such railway belongs shall forfeit to Her Majesty the sum of two hundred dollars, for every day during which the same continues open, until the notices have been duly given and the delays have expired.

Penalty for contravention.

38. The railway committee, upon receiving such notification, shall direct one or more of the engineers, attached to the department of agriculture and public works, to examine the railway proposed to be opened, and all bridges, culverts, tunnels, road-crossings and other works and appliances connected therewith, and also all engines and other rolling-stock intended to be used thereon; and if the inspecting engineer or engineers report in writing to the railway committee that, in his or their opinion, the opening of the same would be attended with danger to the public using the same, by reason of the incompleteness of the works or permanent way, or the insufficiency of the establishment for working such railway, together with the ground of such opinion, the railway committee, with

Railway committee, upon report of an engineer and sanction of lieutenant gov in council, may postpone the opening of the road.

the sanction of the Lieutenant Governor in council, and so, from time to time, as often as such engineer or engineers, after further inspection thereof, so report, may order and direct the company to whom the railway belongs to postpone such opening, not exceeding one month at any one time, until it appears to the committee that such opening may take place without danger to the public.

Penalty for opening, contrary to order of committee.

**39.** If any railway, or any portion thereof, be opened contrary to such order or direction of the railway committee, the company to whom the railway belongs shall forfeit to Her Majesty, the sum of two hundred dollars for every day during which the same continues open contrary to such order or direction.

When only such order to be binding on company.

**40.** No such order shall be binding upon any railway company, unless therewith is delivered to the company a copy of the report of the inspecting engineer or engineers on which the order is founded.

Committee may cause any work to be inspected and may, on report of engineer condemn the railway or rolling stock, with sanction lieut.-gov. in council, and may order certain alterations in the works, &c.

**41.** The railway committee whenever they receive information to the effect that any bridge, culvert viaduct, tunnel, or any other portion of any railway, or any engine, car, or carriage used or for use on any railway, is dangerous to the public using the same, from want of repair, insufficient or erroneous construction, or from any other cause, or whenever circumstances may arise which, in their opinion, render it expedient, may direct any engineer or engineers, as aforesaid, to examine and inspect the railway or any portion thereof, or of the works connected therewith, or the engines and other rolling-stock in use thereon or any portion thereof; and, upon the report of the engineer or engineers, may condemn the railway, or any portion thereof, or any of the rolling-stock or other appliances used thereon, and, with the approval of the Lieutenant Governor in council, may require any change or alteration therein, or in any part thereof, or the substitution of any new bridge, culvert, viaduct or tunnel, or of any material for the said railway, and thereupon the company to which such railway belongs, or the company using, running or controlling the same, shall, after notice thereof in writing, signed by the chairman of the committee, and countersigned by the secretary thereof, proceed to make good or remedy the defects in the said portions of the railway, or in the locomotive, car or carriage which have been so condemned, or shall make such change, alteration or substitution, hereinbefore referred to, as has been required, in manner aforesaid, by the committee.

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42. If, in the opinion of any such engineer, it is dangerous for trains or vehicles to pass over any railway, or any portions thereof, until alterations, substitutions or repairs have been made thereon, or that any particular car, carriage or locomotive, should be run or used, the said engineer may forthwith forbid the running of any train or vehicle over such railway or portion of railway, or the running or using of any such car, carriage or locomotive, by delivering or causing to be delivered to the president, managing director, or secretary, or superintendent, of the company owning, running or using such railway, or to any officer having the management or control of the running of trains on such railway, a notice in writing to that effect, with his reasons therefor, in which he shall distinctly point out the defects or the nature of the danger to be apprehended.

Inspecting en-  
gineer may, in  
case of danger,  
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43. The inspecting engineer shall forthwith report the same to the railway committee, who, with the sanction of the lieutenant-governor in council, may either confirm, modify or disallow, the act or order of the inspecting engineer, and such confirmation, modification or disallowance shall be duly notified to the railway company affected thereby.

Must report to  
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low his order.

44. Any engineer or engineers, so appointed as aforesaid, to inspect any railway or works, may at all reasonable times, upon producing his authority, if required, enter upon and examine the said railway and the stations, fences or gates, road-crossings, cattle-guards, works and buildings and the engines, cars and carriages belonging thereto.

Power of engi-  
neer to exami-  
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&c.

45. Every railway company, and the officers and directors thereof shall afford to the inspecting engineer or engineers, such information as may be within their knowledge and power, in all matters inquired into by them, and shall submit to such inspecting engineer or engineers all plans, specifications, drawings and documents relating to the construction, repair or state of repair of such railway, or any portion thereof, whether a bridge, culvert or other part ;

Company to af-  
ford necessary  
information to  
engineer.

2. Any such inspecting engineer shall have the right, whilst engaged in the business of such inspection, to travel without charge on any of the ordinary trains running on the railway, and to use the telegraph wires and machinery in the offices of or under the control of any such railway company ;

Engineer, to be  
conveyed by  
company.

3. The operators or officers, employed in the telegraph offices of or under the control of the company, shall,

Telegraph ope-  
rators, to obey  
his orders.

without unnecessary delay, obey all orders of any such inspecting engineer for transmitting messages, and any such operator or officer refusing or neglecting so to do, shall forfeit for every such offence the sum of forty dollars;

Proof of his authority.

4. The authority of any such inspecting engineer shall be sufficiently evidenced by instructions in writing, signed by the chairman of the railway committee and countersigned by the secretary thereof.

Lieutenant Governor in council may order permanent bridges to be substituted for movable bridges.

46. The Lieutenant Governor in council, upon the report of the railway committee, may authorize or require any railway company to construct fixed and permanent bridges, or to substitute such bridges in the place of the swing, draw or movable bridges on the line of such railway, within such time as the Lieutenant Governor in council directs; and for every day after the period so fixed, during which the company uses such swing, draw or movable bridges, the company shall forfeit and pay to Her Majesty, the sum of two hundred dollars; and it shall not be lawful for any railway company to substitute any swing, draw or movable bridge, in the place or stead of any fixed or permanent bridge, already built and constructed, without the previous consent of the railway committee.

Penalty for neglect.

Certain powers vested in railway committee with respect to crossing public highways, on a level.

47. In case where a railway is constructed, or authorized to be constructed, across any turnpike road, street or other public highway, on the level, the railway committee if it appears to them necessary for the public safety, may, with the sanction of the Lieutenant-Governor in council, authorize and require the company, to whom such railway belongs, within such time as the said committee directs, to carry such road, street or highway either over or under the said railway, by means of a bridge or arch, instead of crossing the same on the level, or to execute such other works as, under the circumstances of the case, appear to the said committee, the more suitable for removing or diminishing the danger arising from such level crossing; and all the provisions of law at any such time applicable to the taking of land by railway companies and its valuation and conveyance to them, and to the compensation therefor, shall apply to the case of any land required for the construction of any works for effecting the alteration of such level crossing.

Railway company may be required to repair any railway crossing out of repair.

48. Whenever any level crossing on any railway shall be out of repair, the chief officer of the municipality, or other local division, having jurisdiction over the highway so crossed, may serve a notice upon the company in the usual manner, requiring the repairs to be forthwith made;



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and if the company shall not forthwith make the same such officer may transmit a copy of the notice so served, to the secretary of the railway committee; and thereupon, it shall be the duty of the committee, with all possible despatch, to appoint a day for an examination into the matter; and the committee shall, by mail, give notice to such chief officer, and to the company, of the day so fixed; and upon the day so named such crossings shall be examined by an engineer appointed by the railway committee; and any certificate under his hand shall be final on the subject so in dispute between the parties; and if the said engineer determines that any repairs are required, he shall specify the nature thereof in his certificate, and direct the company to make the same; and the company shall thereupon, with all possible despatch, comply with the requirements of such certificate; and, in case of default, the proper authority in the municipality, or other local division, within whose jurisdiction the said crossing is situate, may make such repairs, and may recover all costs, expenses and outlays in the premises, by action against the company in any court of competent jurisdiction, as money paid to the company's use; Provided always, that neither this section, Provide 1 nor any proceeding had thereunder, shall at all affect any liability otherwise attaching to such company in the premises.

Inspecting en- gineer's certifi- cate, to be con- clusive.

49. The railway committee, or the inspecting engineer or engineers, may limit the number, the time, or rate of speed of running of trains or vehicles, upon any railway, or portion of railway, until such alterations or repairs as they or he may think sufficient have been made, or until such times as they or he think prudent; and the company, owning, running or using such railway, shall comply forthwith with any such order of the railway committee or inspecting engineer, upon notice thereof as aforesaid; and for every act of non-compliance therewith, every such railway company shall forfeit to Her Majesty, the sum of two thousand dollars. When the com- mittee may re- gulate speed of trains, time of running, &c. Penalty for non-compliance.

50. Every railway company shall, as soon as possible, and at least within forty-eight hours after the occurrence upon the railway belonging to such company of any accident, attended with serious personal injury to any person using the same, or whereby any bridge, culvert, viaduct or tunnel on or of the railway has been broken, or so damaged as to be impassable or unfit for use, give immediate notice thereof to the railway committee; and, if any company wilfully omits to give such notice, such company shall forfeit to Her Majesty, the sum of two hundred dol- Notice of acci- dents to be gi- ven to the com- mittee.



lars for every day during which the omission to give the same continues.

Inspection, not to relieve company from liability.

**51.** No inspection had under this act, nor anything in this act contained, or done, or ordered or omitted to be done, or ordered under or by virtue of the provisions of this act, shall relieve or be construed to relieve any railway company of or from any liability or responsibility, resting upon it by law, either towards Her Majesty or towards any person, or the wife or husband, parent or child, executor or administrator, tutor or curator, heir or other personal representative of any person, for any thing done or omitted to be done by such company, or for any wrongful act, neglect or default, misfeasance, malfeasance or nonfeasance, of such company, or in any manner or way to lessen such liability or responsibility, or in any way to weaken or diminish the liability or responsibility of any such company, under the laws in force in this province.

Company, to notify orders of Committee to its officers, &c.

**52.** Every railway company shall, as soon as possible, after the receipt of any order or notice of the railway committee or inspecting engineer, give cognizance thereof to each of its officers and servants, in one or more of the ways mentioned in section 63 of this act.

What to be deemed sufficient notice thereof.

**53.** All orders of the railway committee shall be considered as made known to the railway company by a notice thereof signed by the chairman and countersigned by the secretary of the board and delivered to the president, vice-president, managing director, secretary or superintendent of the company, or at the office of the company; and orders of the inspecting engineers shall be deemed to be made known to the railway company, by a notice thereof, signed by the engineer or engineers, and delivered as above mentioned.

Return of accidents, to be made semi-annually, and what to contain, &c.

**54.** Every railway company shall, within one month after the first days of January and July, in each and every year, make to the railway committee, under the oath of the president, secretary or superintendent of the company, a true and particular return of all accidents and casualties (whether to life or property) which have occurred on the railway of the company during the half year next preceding each of the said periods respectively, setting forth:

1. The causes and nature of such accidents and casualties;
2. The points at which they occurred and whether by night or by day;

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3. The full extent thereof, and all the particulars of the same ; and,

4. Shall also, at the same time, return a true copy of the existing by-laws of the company, and of their rules and regulations for the management of the company and of their railway. Copy of by-laws.

55. The railway committee may order and direct, from time to time, the form in which such returns shall be made up, and may order and direct any railway company to make up and deliver to them, from time to time, in addition to the said periodical returns, returns of serious accidents, occurring in the course of the public traffic upon the railway belonging to such company, whether attended with personal injury or not, in such form and manner as the committee deem necessary and require for their information, with a view to the public safety. Form of return to be appointed by the railway committee.

56. If such returns, so verified, be not delivered within the respective times herein prescribed, or within fourteen days after the same have been so required by the committee, every company making default, shall forfeit to Her Majesty, the sum of one hundred dollars for every day during which the company neglects to deliver the same. Penalty for neglect.

57. All such returns shall be privileged communications, and shall not be evidence in any court whatsoever. Such returns, to be privileged communications.

58. With respect to all railways coming within the jurisdiction of the legislature of this province, to which the provisions of the railway act, chapter sixty-six of the Consolidated Statutes of Canada, apply, the railway committee constituted by this act, shall be vested with all the rights and powers vested in the board of railway commissioners under the said act, collectively or by any single member thereof ; and such powers may be exercised by the said committee collectively or by any single member thereof, as the case may be, in the same manner and as effectually as they might have been exercised by the said board of railway commissioners ; but any inspection that may be required in respect of any such railway, shall be performed in conformity with the provisions of this act : Railway committee, to have, with respect to certain railways, the powers of the former railway commissioners ;

2. All proceedings heretofore commenced by the said board of railway commissioners may be taken up and continued ; and all the orders and regulations of the said board, and all penalties and forfeitures, for their contravention, may be enforced and recovered by the railway committee in the same manner and with the same effect as they might have been by the said board before the passing of this act. And may continue proceedings commenced by railway commissioners.

## TRAFFIC ARRANGEMENTS.

One company may agree with another respecting traffic.

59. The directors of any railway company may, at any time, make agreements or arrangements with any other company, either in the province or elsewhere, for the regulation and interchange of traffic passing, to and from their railways, and for the working of the traffic over the said railways respectively, or for either of those objects separately, and for the division of tolls, rates and charges in respect of such traffic, and generally in relation to the management and working of the railways, or any of them, or any part thereof, and of any railway or railways in connection therewith, for any term not exceeding twenty-one years, and to provide, either by proxy or otherwise, for the appointment of a joint committee or committees for the better carrying into effect any such agreement or arrangement, with such powers and functions as may be considered necessary or expedient, subject to the consent of two thirds of the stockholders voting in person or by proxy ;

Railway companies must afford each other every facility for the forwarding of traffic, without preference or favor.

2. But every railway company shall, according to their respective powers, afford all reasonable facilities to any other railway company, for the receiving and forwarding and delivering of traffic upon and from the several railways belonging to or worked by such companies respectively, and for the return of carriages, trucks, and other vehicles ; and no company shall give or continue any preference or advantage to, or in favor of any particular company, or any particular description of traffic, in any respect whatsoever, nor shall any company subject any particular company or any particular description of traffic to any prejudice or disadvantage in any respect whatsoever ; and every railway company having or working a railway, which forms part of a continuous line of railway, or which intersects any other railway, or which has any terminus, station, or wharf of the one near any terminus, station or wharf of the other, shall afford all reasonable facilities for receiving and forwarding by the one railway all the traffic arriving by the other, without any unreasonable delay, and without any preference or advantage, or prejudice or disadvantage, so that no obstruction may be offered in the using of such railway as a continuous line of communication, and so that all reasonable accommodation may, at all times, by the means aforesaid, be mutually afforded by and to the said railway companies ; and any agreement made between any two or more railway companies contrary to the foregoing provisions, shall be unlawful, null and void ;

Agreements made in contravention to be void.

Must grant equal facilities to all ex-

3. Any railway companies, granting any facilities to any incorporated express company, shall grant equal facilities,

on equal terms and conditions, to any other incorporated express company demanding the same ;

4 If any officer, servant or agent of any railway company having the superintendence of the traffic at any station or depot thereof, refuses or neglects to receive, convey or deliver at any station or depot of the company for which they may be destined, any passenger, goods or things, brought, conveyed or delivered to him or such company, for conveyance over or along their railway from that of any other company, intersecting or coming near to such first mentioned railway,—or in any way wilfully contravenes the provisions of the second sub-section of this section,—such first mentioned railway company, or such officer, servant or agent, personally, shall, for each such neglect or refusal, incur a penalty not exceeding fifty dollars over and above the actual damages sustained ; which penalty may be recovered with costs, in a summary way, before any justice of the peace, by the railway company or any other party aggrieved by such neglect or refusal, and to and for the use and benefit of the company, or other party so aggrieved ;

press companies or their officers refusing or neglecting to forward traffic as above required.

How recoverable and how applied.

5. For the purposes of the four next preceding sub-sections, the word : " traffic," includes not only passengers and their baggage, goods, animals and things conveyed by railway, but also cars, trucks and vehicles of any description adapted for running over any railway ;—the word : " railway," includes all stations and depots of the railway ;—and a railway shall be deemed to come near another when some part of the one is within one mile of some part of the other.

Interpretation of word ; " Traffic."

" Railway."

6. Whenever a railway company, under its act of incorporation, has the power of amalgamating, by deed of agreement, with another company, the deed of agreement effecting such amalgamation, after having been drawn up and passed by such companies, shall be transmitted to the Lieutenant Governor in council for his approval and such approval shall be made known to the public by means of a notice signed by the provincial secretary and published in the " Quebec Official Gazette."

Contract of amalgamation to be approved by Lieutenant-governor, &c.

RAILWAY CONSTABLES.

60. Any Judge of the Court of Queen's Bench or Superior Court, or Clerk of the Court, or Clerk of the Peace, or Clerk of the Crown, or Judge of the Sessions of the Peace, on the application of the board of directors of any railway company, whose railway passes within the local jurisdiction of such Justices of the Peace, Judge, Clerk or Judge of the Sessions of the Peace, as may be, or on the application

Constables may be appointed to act on the line of any railway and how.

of any clerk or agent of such company, thereto authorized by such board, may, in their or his discretion, appoint any persons, recommended to them for that purpose by such board of directors, clerk or agent, to act as constables on and along such railway; and every person so appointed shall take an oath or make a solemn declaration in the form or to the effect following, that is to say:

Oath of Office. "I, A. B., having been appointed a constable to act upon and along (*here name the railway*) under the provisions of (*here insert the title of this act*), do swear that I will well and truly serve Our Sovereign Lady the Queen, in the said office of constable, without favor or affection, malice or ill-will, and that I will, to the best of my power, cause the peace to be kept, and prevent all offences against the peace and that while I continue to hold the said office, I will, to the best of my skill and knowledge, discharge the duties thereof faithfully, according to law; So help me God."

By whom to be administered. 2. Such oath or declaration shall be administered by any such Judge, Clerk, or Judge of the Sessions of the Peace; and every constable so appointed, and having taken such oath or made such declaration, shall have full powers of such constables.

To what localities they shall extend. peace, and for the security of persons and property against felonies and other unlawful acts, on such railway, and on any of the works belonging thereto, and on and about any trains, roads, wharves, quays, landing-places, warehouses, lands and premises belonging to such company, whether the same be in the county, city, town, parish, district, or other local jurisdiction, within which he was appointed, or in any other place through which such railway passes, or in which the same terminates, or through or to which any railway passes, which may be worked or leased by such railway company, and in all places not more than one-quarter of a mile distant from such railway or railways; and shall have all such powers, protection and privileges for the apprehending of offenders, as well by night as by day, and for doing all things for the prevention, discovery and prosecution of felonies and other offences, and for keeping the peace, which any constable duly appointed has within his jurisdiction as such constable; and it shall be lawful for any such constable, to take such persons as may be punishable by summary conviction for any offence against the provisions of this act, or of any of the acts or by-laws affecting any such railway, before any justice or justices appointed for any county, city, town, parish, district or other local jurisdiction, within which any such railway may pass; and every such justice shall have authority to deal with all such cases, as though the offence had been committed and the person taken, within the limits of his own local jurisdiction;

Further duties and powers of such constable.

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3. Any Judge of the Court of Queen's Bench or Superior Court, or Clerk of the Peace, or Clerk of the Crown, or Judge of the Sessions of the Peace, may dismiss any such constable, who may be acting within their several jurisdictions: and the board of directors of such railway company, or any clerk or agent of such company thereto authorized by such board, may dismiss any such constable who may be acting on such railway; and upon every such dismissal, all powers, protection and privileges, belonging to any such person by reason of such appointment, shall wholly cease; and no person so dismissed shall be again appointed or act as constable for such railway, without the consent of the authority by which he was dismissed;

Dismissal  
of such con-  
stables.

4. Every such railway company shall cause to be recorded in the office of the Clerk of the Peace for every county, city, town, parish, district, or other local jurisdiction, wherein such railway or railways may pass, the name and designation of every constable so appointed at their instance, the date of his appointment, and the authority making it, and also the fact of every dismissal of any such constable, the authority making it and the date thereof, within one week from such appointment or dismissal, as the case may be, and the Clerk of the Peace shall keep such record in a book, to be open to public inspection, charging such fee or fees as the railway committee may, from time to time, authorize, and in such form as the committee may, from time to time, direct;

Record of ap-  
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5. Every such constable who is guilty of any neglect or breach of duty in his office of constable, shall be liable, on summary conviction thereof, within any county, city, district, or other local jurisdiction, wherein such railway may pass, to a penalty of not more than eighty dollars, the amount of which penalty may be deducted from any salary due to such offender, if such constable be in receipt of a salary from the railway company, or to imprisonment, for not more than two months, in the gaol of such county, city, district, or other local jurisdiction;

Punishment of  
constables for  
neglect of  
duty;

6. Every person, who assaults or resists any constable appointed as aforesaid, in the execution of his duty, or who incites any person to assault or resist any constable, shall, for every such offence, be liable, on summary conviction, to a penalty of not more than eighty dollars, or to imprisonment, for not more than two months.

And of per-  
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GENERAL PROVISIONS.

41. Every railway company shall make such by-laws, rules and regulations, to be observed by the conductors,

Company to  
make by-laws  
for regulation



- of conductors and other officers. engine-drivers and other officers and servants of the company, and by all other companies and persons using the railway of such company, and such regulations, with regard to the construction of the carriages and other vehicles, to be used in the trains of the railway of the company, as are requisite for ensuring the perfect carrying into effect of the provisions of this act, and the orders and regulations of the railway committee ;
- Altering by-laws. 2. The company may, from time to time, repeal or alter such by-laws and make others, provided that such by-laws be not repugnant to the provisions of this act or the act incorporating the company, or any act or acts amending the same ;
- Form. 3. And such by-laws shall be reduced into writing and shall have affixed thereto the common seal of the company ;
- Imposing penalties. 4. Any of the conductors, engine-drivers and other officers and servants of the company or other railway companies using any railway, offending against any such by-law, shall forfeit, for every such offence, a sum not exceeding forty dollars, such forfeiture to be imposed by the company, and such by-law, as a penalty for every such offence ;
- Summary interference in certain cases. 5. If the infraction or non-observance of any such by-law, by any of the classes in the next preceding subsection mentioned, be attended with danger or annoyance to the public, or hindrance to the company in the lawful use of the railway, it shall be lawful for the company summarily to interfere, using no violence or unnecessary force, to obviate or remove such danger, annoyance, or hindrance, and that without prejudice to any penalty incurred by the infraction of any such by-law ;
- Sanction. 6. No such by-law shall have force or effect unless, or until it has been approved by the Lieutenant Governor in council ;
- How such by-laws shall be notified to railway servants and to the public. 7. The substance of any such by-law, when approved as aforesaid, if it affects any officer or servant of the company, may be proved by proving the delivery of a copy to or its receipt by such officer or servant ; and, if it affects any other railway company, using the railway, shall be painted on boards, or printed on paper and pasted on boards, and hung up and affixed and continued on the front or other conspicuous part of every wharf or station belonging to the company, according to the nature or subject-matter of such by-laws respectively, and so as to give public notice thereof to the parties interested therein, or affected thereby ; and such boards shall, from time to time, be renewed as often as the by-laws thereon or any



part thereof shall be obliterated or destroyed; and no penalty, imposed by any such by-law, shall be recoverable unless the same shall have been published, and kept published in manner aforesaid;

8. Such by-laws, when so confirmed, shall be binding upon and be observed by all parties mentioned in the fourth sub-section of this section, and shall be sufficient to justify all persons acting under the same; and for proof of the publication of any such by-laws affecting only any other railway company, using the railway, it shall be sufficient to prove that a printed paper or painted board, containing a copy of such by-laws, was affixed, placed and continued in the manner by this section directed, and in case of its being afterwards displaced or damaged, then that such paper or board was replaced as soon as conveniently might be.

What parties to be bound by such by law.

Proof thereof.

62. Any railway company may, by a by-law, impose upon any officer, servant, or person who, before contravening such by-law, has had notice thereof, and is employed by the company, a forfeiture to the company of not less than thirty days' pay of such officer or servant, for any contravention of such by-law, and may retain any such forfeiture out of the salary or wages of the offender,

Company may impose penalties for contravention of by-law.

63. The notice of the by-law or of any order or notice of the railway committee, or of the inspecting engineer or engineers, may be proved by proving the delivery of a copy thereof to the officer, servant or person, or that he signed a copy thereof, or that a copy thereof was posted in some place where his work or his duties, or some of them, were to be performed.

How notice of by-laws or orders may be proved.

64. Such proof, with a proof of the contravention, shall be a full answer and defence for the company in any suit for the recovery of the amount so retained, and such forfeiture shall be over and above any penalty under this act.

When such proof, &c., shall be a defence for the company.

65. No such company shall cause any obstruction in or impede the free navigation of any river, stream or canal, to, or across or along which their railway is carried.

Not to impede navigation.

66. If the railway be carried across any navigable river or canal, the company shall leave openings between the abutments or piers of their bridge or viaduct over the same, and shall make the same of such clear height above the surface of the water, or shall construct such draw-bridge or swing bridge over the channel of the river, or over the whole width of the canal, and shall be subject to

Railways crossing rivers, &c., regulated.

such regulations as to the opening of such swing-bridge or draw-bridge as the Lieutenant Governor in council, from time to time, may make.

Plans to be submitted to the lieutenant-governor in council.

**67.** It shall not be lawful for any such company to construct any wharf, bridge, pier or other work upon or over any navigable river, lake or canal, or upon the beach or bed or lands covered with the waters thereof, until they have first submitted the plan and proposed site of such work to the railway committee, and the same has been approved; and no deviation from such approved site or plan shall be made, without the consent of the committee.

Exception, when special powers are given by the special act.

**68.** Nothing contained in the three next preceding sections of this act, shall be construed to limit or affect any power expressly given to any railway company by its special act of incorporation or any special act amending the same.

When a railway passes over a swing-bridge, &c., train to stop for three minutes.

**69.** In all cases where a railway passes any draw or swing-bridge over a navigable river, canal or stream, which is subject to be opened for the purposes of navigation, the trains shall, in every case, be stopped at least three minutes, to ascertain from the bridge-tender that the said bridge is closed and in perfect order for passing, and, in default of so stopping during the full period or three minutes, the said railway company shall be subject to a fine or penalty of four hundred dollars.

Company to use the best apparatus for communication between conductors and engine drivers, and for stopping or disconnecting cars, fixing seats in cars, &c.

**70.** Every railway company, which runs trains upon the railway for the conveyance of passengers, shall provide and cause to be used in and upon such trains, such known apparatus and arrangements as best afford good and sufficient means of immediate communication between the conductors and the engine-drivers of such trains while the trains are in motion, and good and sufficient means of applying, by the power of the steam-engine or otherwise at the will of the engine-driver, or other person appointed to such duty, the brakes to the wheels of the locomotive or tender, or both, or of all or any of the cars or carriages composing the trains, and of disconnecting the locomotive, tender, and cars or carriages from each other by any such power or means, and also such apparatus and arrangements as best and most securely place and fix the seats or chairs in the cars or carriages, and shall alter such apparatus and arrangements, or supply new apparatus and arrangements, from time to time, as the railway committee may order.

Penalty for not complying

**71.** Every railway company, which fails to comply with any of the provisions contained in the next preceding

section, shall forfeit to Her Majesty, a sum not exceeding two hundred dollars for every day during which such default continues. with provisions of section 70.

72. Every railway company shall station an officer at every point on their line, crossed on a level by any other railway, and no train shall proceed over such crossing until signal has been made to the conductor thereof that the way is clear. Further precautions at level crossings.

73. Every locomotive or railway engine or train of cars, on any railway, shall, before it crosses the track of any other railway on a level, be stopped for at least the space of one minute. Further precautions, when railway crosses another on a level;

74. No locomotive or railway engine shall pass in or through any thickly-peopled portion of any city, town or village at a speed greater than six miles per hour, unless the track is properly fenced. Or runs through a city, town, &c.;

75. Whenever any train of cars is moving reversely in any city, town or village, the locomotive being in the rear, the company shall station, on the last car in the train, a person who shall warn parties, standing on or crossing the track of such railway, of the approach of such train; and for any contravention of the provisions of this and the three next preceding sections, the company shall incur a penalty of one hundred dollars. Or moves reversely. Penalty for contravention of sections 72, 73, 74 and 75.

76. If the railway committee orders any railway company to erect at or near or in lieu of any level crossing of a turnpike road, or other public highway, a foot-bridge or foot-bridges over their railway for the purpose of enabling persons, passing on foot along such turnpike road or public highway, to cross the railway by means of such bridge or bridges, then, from and after the completion of such foot-bridge or foot-bridges so required to be erected, and while the company keeps the same in good and sufficient repair, such level crossing shall not be used by foot passengers on the said turnpike road or public highway, except during the time when the same is used for the passage of carriages, carts, horses or cattle along the said road. Foot passengers to use foot bridge, if provided for that purpose at level crossings.

77. No horses, sheep, swine or other cattle shall be permitted to be at large upon any highway, within half a mile of the intersection of such highway with any railway on grade, unless such cattle are in charge of some person or persons to prevent their loitering or stopping on such highway, at such intersection. No cattle to be allowed at large on any highway within half a mile of any railway.

- Such cattle may be impounded.** **78.** All cattle found at large in contravention of the last preceding section may, by any person finding the same at large, be impounded in the pound nearest to the place where the same are so found; and the pound-keeper, with whom the same are so impounded, shall detain the same in the like manner, and subject to the like regulations as to the care and disposal thereof, as in the case of cattle impounded for trespass on private property.
- If killed, owner not entitled to any action.** **79.** No person, any of whose cattle, being at large, contrary to the provisions of section 77, are killed by any train at such point of intersection, shall have any action against any railway company in respect to the same being so killed.
- Crossings to be fenced.** **80.** At every road and farm crossing on the grade of the railway, the crossing shall be sufficiently fenced, on both sides, so as to allow the passage of the trains without danger to the animals.
- Ground belonging to the company to be cleared of weeds.** **81.** Every railway company shall cause all thistles and other noxious weeds, growing on the cleared land or ground adjoining the railway and belonging to such company, to be cut down and kept constantly cut down, or to be rooted out of the same.
- Consequences of omitting to do so.** **82.** If any railway company fails to comply with the requirements of the last preceding section, within twenty days after they have been required to comply with the same, by notice from the mayor, warden or chief officer of the municipality of the township, county or district in which the land or ground lies, or from any justice of the peace therein, such company shall thereby incur a penalty of two dollars to the use of the municipality, for each day during which the neglect to do anything, which they are lawfully required to do by such notice, and the said mayor, warden, officer or justice of the peace may cause all things to be done, which the said company were lawfully required to do by such notice, and for that purpose may enter, by himself and his assistants or workmen, upon such lands or grounds, or may recover the expenses and charges incurred in so doing, and the said penalty, with cost of suit, in any court having jurisdiction in civil cases to the amount sought to be recovered.
- Interest of purchase money or rent of real property to be deemed working expenses.** **83.** The interest of the purchase-money or rent of any real property acquired or leased by any railway company, and necessary to the efficient working of such railway, and the price or purchase money of any real property or thing, without which the railway could not be efficiently worked,

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shall be considered to be part of the expenses of working such railway, and shall be paid, as such, out of the earnings of the railway.

## PENAL CLAUSES.

84. Every person who, by any means or in any manner or way whatsoever, obstructs or interrupts the free use of the railway, or the carriages, vessels, engines or other works incidental or relative thereto, or connected therewith, shall, on conviction thereof, be punished by imprisonment in the common gaol of the district or county where the conviction takes place, for any term less than two years.

Penalty on persons obstructing free use of railway.

85. All persons wilfully breaking, throwing down, damaging or destroying the same, or any part thereof, or any of the buildings, stations, depots, wharves, vessels, fixtures, machinery or other works or devices incidental or relative thereto, or connected therewith, or doing any other wilful hurt or mischief, or wilfully obstructing or interrupting the free use of the railway, vessels or works or obstructing, hindering or preventing the carrying on, completing, supporting and maintaining the railway, vessels or works, shall, unless the offence committed amounts, under some other act or law, to a felony, be liable on conviction to be punished in the manner prescribed by the preceding section.

If offence be a felony under other acts.

86. If any person wilfully displaces or removes any railway switch or rail of any railway, or breaks down, rips up, injures or destroys any railway track, or railway bridge or fence of any railway or any portion thereof, or places any obstruction whatsoever on any such rail or railway track or bridge, shall be punished by imprisonment in the common gaol of the territorial division, in which such offence is committed or tried, for any period not exceeding one year from conviction thereof.

Punishment of persons wilfully damaging railway.

87. Whosoever wilfully and unlawfully puts, places, casts or throws upon or across any railway, any wood, stone or other matter or thing, or unlawfully takes up, removes or displaces, any rail, sleeper or other matter or thing belonging to any railway, or unlawfully turns, moves or diverts any point or other machinery belonging to any railway, or unlawfully makes or shows, hides or removes any signal or light upon or near to any railway, shall be liable to be imprisoned, for any term less than two years, in the common gaol of the territorial division in which the offence was committed or has been tried.

Placing obstructions on railway, removing rails, moving points, &c., how punishable.

**88.** If any person wilfully does or causes to be done, any act whatever, whereby any building, fence, construction or work of any railway, or any engine, machine or structure of any railway, or any matter or thing appertaining to the same, is stopped, obstructed, impaired, weakened, injured or destroyed the person so offending, shall be punished by imprisonment, for a period not exceeding one year, in the common gaol of the territorial division, in which the offence was committed or has been tried.

Punishment for committing any injury, stoppage, &c.

**89.** Every person who, unlawfully, bores, pierces, cuts, opens, or otherwise injures any cask, box or package, containing wine, spirits or other liquors, or any case, box, sack, wrapper, package or roll of goods, in, on or about any car, waggon, boat, vessel, warehouse, station-house, wharf, quay or premises of or belonging to any such railway company, with intent unlawfully to obtain or to injure the contents, or any part thereof, or who unlawfully drinks, or wilfully spills or allows to run to waste, any such liquors, or any part thereof, shall, for every such offence, be liable, on summary conviction, before one or more justices of the peace, to a penalty of not more than twenty dollars, over and above the value of the goods or liquors so taken or destroyed, or to imprisonment for not more than one month.

Punishment for persons boring or cutting casks or packages on railway.

**90.** Every person wilfully obstructing any inspecting engineer in the execution of his duty shall, on conviction before a justice of the peace having jurisdiction in the place where the offence has been committed, forfeit and pay for every such offence any sum not exceeding forty dollars, and in default of payment of any penalty, so adjudged, immediately, or within such time as the said justice of the peace appoints, the same justice, or any other justice, having jurisdiction in the place where the offender resides, may commit the offender to prison for any period not exceeding three months; but such commitment shall cease on payment of the amount of the penalty; and every such penalty shall be returned to the next ensuing Court of General or of Quarter Sessions in the usual manner.

Punishment of persons obstructing inspectors in the execution of their duty.

**91.** If any officer or servant of, or person employed by, any railway company, wilfully or negligently contravenes any by-law or regulation of the company, lawfully made and in force, or any order or notice of the railway committee, or of the inspecting engineer or engineers, of which a copy has been delivered to him, or has been posted up or open to his inspection in some place where his work or his duties, or any of them, are to be

Punishment of officers contravening by-laws.



performed, then, if such contravention causes injury to any property or to any person, or exposes any property or any person to the risk of injury, or renders such risk greater than it would have been without such contravention, although no actual injury occurs, the person convicted of such contravention shall, in the discretion of the court before whom the conviction is had, be punished by fine or imprisonment, so as no such fine exceeds four hundred dollars, nor any such imprisonment the term of five years.

92. If such contravention does not cause injury to any property or person, nor expose any person or property to the risk of injury, nor make such risk greater than it would have been without such contravention, then the officer, servant or other person guilty thereof, shall thereby incur a penalty not exceeding the amount of thirty days' pay, nor less than fifteen days' pay of the offender from the company, in the discretion of the justice of the peace before whom the conviction is had; and such penalty shall be recoverable with costs, before any one justice of the peace, having jurisdiction where the offence has been committed, or where the offender is found, on the oath of one credible witness other than the informer.

93. One moiety of such penalty shall belong to Her Majesty for the public uses of the province, and the other moiety to the informer, unless he be an officer or servant of, or person in the employ of the company, in which case he shall be a competent witness and the whole penalty shall belong to Her Majesty for the uses aforesaid.

94. The company may, in all cases, under the three next preceding sections, pay the amount of the penalty and costs, and recover the same from the offender, or deduct it from his salary or pay.

#### APPLICATION OF PENALTIES.

95. All penalties recovered under this act, in respect to the application of which no other provision is made, shall be paid to the Treasurer of the Province, to the credit of "The Railway Inspection Fund."

#### RAILWAY INSPECTION FUND.

96. Every railway in this province to which this act applies, shall, so soon as any portion thereof is in use, pay to the treasurer, an annual rate to be fixed by the railway.



committee, not exceeding ten dollars per mile of railway constructed and in use ; such rate to be paid half-yearly on the first days of January and July, in each year, and to form a special fund for the purposes of this act, to be called : " The Railway Inspection Fund. "

#### APPLICATION OF CERTAIN SECTIONS.

**97.** In interpreting the provisions of the present act, from section thirty-four to section seventy-six, both inclusively, the expressions : " railway company " or : " company, " shall include every proprietor, lessee or contractor working a railway built or worked under any act of this legislature.

What the words : "Railway Company" shall include.

#### FINAL PROVISIONS.

**98.** Subject to the provisions hereinafter made, the act passed in the thirty-second year of Her Majesty's reign and known as : " The Quebec Railway Act, 1869 ; "—the act passed in the thirty-fourth year of Her Majesty's reign, and intituled : " An Act to amend the Quebec Railway Act, 1869. "—the act passed in the thirty-seventh year of Her Majesty's reign, and intituled : " An Act to amend the Quebec Railway Act, 1869 ; "—the act passed in the thirty-eighth year of Her Majesty's reign, and intituled : " An Act further to amend the Quebec Railway Act, 1869, (32 Vict., chap. 51) ; "—the act passed in the year last mentioned, and intituled : " An Act to further amend the Quebec Railway Act, 32 Vict., chap. 51, and for other purposes ; "—the act passed in the thirty-ninth year of Her Majesty's reign, and intituled : " An Act to further amend the Quebec Railway Act, 1869, (32 Vict., chap. 51) ; "—the act passed in the fortieth year of Her Majesty's reign, and intituled : " An Act to further amend ' The Quebec Railway Act, 1869 ; ' "—the Act passed in the forty-first year of Her Majesty's reign, and intituled : " An Act to amend the Act of this province, 32 Vict., chap. 51, respecting railways ; "—and the act passed in the forty second and forty third years of Her Majesty's reign, intituled : " An Act to amend the Quebec Railway Act, 1869, "—are hereby repealed and this act is substituted therefor ; Provided always, that all acts or enactments, repealed by any of the said acts, shall remain repealed, and that all things legally done and all rights acquired under the acts hereby repealed, or of any of them, shall remain valid and may be enforced, and all proceedings and things lawfully commenced under them, or any of them, may be continued and completed, under the corresponding provisions of this act, which shall not

Repeal of former acts.

32 Viet., c. 51, (1869).

34 Viet., c. 20, (1870).

37 Viet., c. 16, (1874).

38 Viet., c. 40, (1875).

38 Viet., c. 41, (1875).

39 Viet., c. 53, (1875).

40 Viet., c. 30, (1876).

41 Viet., c. 19, (1876).

42-43 Viet., c. 2, (1879).

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be construed as a new law, but as a consolidation and continuation of the said repealed acts, subject to the amendments and new provisions hereby made and incorporated with them; and anything heretofore done in pursuance or in contravention of any provision in any of the said repealed acts which is repeated, without material alteration in this act, may be alleged or referred to as having been done in pursuance or in contravention of the repealed act in which such provision was made, or of this act; and every such provision shall be construed as having and as having had the same effect and from the same time as under such repealed act; and any reference, in any former act or document, to any such provision in any of the said repealed acts shall hereafter be construed as a reference to this act or to the corresponding provision of this act.



## RETURNS BY RAILWAY COMPANIES.

## FIRST APPENDIX.

Return in pursuance of "The Quebec Consolidated Railway Act, 1880," by the \_\_\_\_\_ Railway Company of their authorized share and loan capital, and the sums received in respect of their ordinary capital and preferential capital, and debenture stock, or funded debt, on the 31st December, 18\_\_\_\_, specifying the rate per cent. of the dividends for the year 18\_\_\_\_, on each of the said capitals, showing also the loans outstanding on the 31st December, 18\_\_\_\_, classified according to the several rates per cent. of interest, and the capital subscribed to other undertakings, whether such undertakings are on lease to, or worked by the subscribing company, or are independent,

Name of company.	* Authorized capital paid up to the 31st December, 18____, including capital authorized as subscriptions to other undertakings whether such other undertakings are on lease to or worked by the subscribing company or are independent.			Paid up Stock and Share Capital on 31st December, 18____, including subscriptions paid up to other undertakings.								
	† By shares.	By loans.	Total.	Ordinary.	Rate per cent of Dividend.	Guaranteed.	Guaranteed rate of Dividend.	Rate of Dividend paid.	Preferential Shares.	Preferential rate of Dividend.	Rate of Dividend paid.	Total paid up Stock and Share Capital to 31st Dec., 18____
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$

NOTE.—This return should be dated and signed by the officer or officers of the Company responsible for its correctness.

\* This should include all capital authorized to be raised by acts of the Provincial Legislature, but should not include capital authorized only for purposes which have lapsed by abandonment or otherwise.

† In cases where a subscription is authorized out of existing capital, no addition should be made in respect of it to the sum entered in this column, but only to the sum entered in the last column.

FIRST APPENDIX.—(Continued.)

Capital raised by loans and debenture Stock to 31st December, 18 . . .						REMARKS
Loans.	Rate of interest.	† Debentures.	Rate of interest.	Total raised by loans and debenture stock to 31st Dec., 18	Total stock and share capital paid up, and capital raised by loans and debenture stock, to 31st Dec., 18	
\$		\$		\$		Subscriptions to other companies.

† Care should be taken not to confound debenture stock with ordinary debenture loans and not to enter the same under both heads.

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## SECOND APPENDIX.

## ..... RAILWAY OF QUEBEC.

Return traffic for week ending 18 and the  
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Date.	Passengers.	Freight and Live Stock.	Mails and Sundries	Total.	Miles open.
18	.....	.....	.....	.....	.....
18	.....	.....	.....	.....	.....

Increase..... \$

Decrease..... \$

Aggregate traffic from 18 .

Date.	Passengers.	Freight and Live Stock.	Mails and Sundries	Total.	Miles open.
18	.....	.....	.....	.....	.....
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## CAP. XLIV.

An Act respecting the "Quebec, Montreal, Ottawa and  
Occidental Railway."

[Assented to 30th June, 1880.]

**W**HEREAS a bridge, between the city of Hull and the  
city of Ottawa, has been commenced, to continue  
the "Quebec, Montreal, Ottawa and Occidental Railway";  
and, whereas it is imperative that such bridge be con-  
tinued so that within as short a delay as possible, the said  
road may be connected with the Canada Central Railway,

in the city of Ottawa, as well as with the other railway lines of the province of Ontario, ending in the same centre; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, declares and enacts as follows :

1. It shall be lawful for the Lieutenant Governor in Council, to order that the bridge already commenced on the Ottawa river, between the cities of Hull and Ottawa, be completed, so as to continue the " Quebec, Montreal, Ottawa and Occidental Railway " to the said city of Ottawa.

Completion of Hull bridge authorized.

2. The Lieutenant Governor in Council may, for that purpose, authorize the purchase of all lands necessary, and the erection of all buildings required, for a freight and passenger station, in the said city of Ottawa.

Power to acquire land &c. for that purpose.

3. Such bridge, buildings and station, shall be considered as forming an integral portion of the " Quebec, Montreal, Ottawa and Occidental Railway ", under the provisions of the Act of this Province, 39 Vict., chap. 2, and its amendments.

Bridge &c., considered part of Q., M., O. & O. R.

4. This act shall come into force on the day of the sanction thereof.

Act in force.

CAP. XLV.

An Act authorizing the issue of provincial debentures for the payment of the subsidies granted to railway companies, and for completing the Quebec, Montreal, Ottawa and Occidental Railway, and for other purposes.

[Assented to 30th June, 1880.]

WHEREAS it is necessary and expedient to provide, for the payment of the balance of the subsidies granted by the Legislature of Quebec to certain railway companies, and for the completion of the Quebec, Montreal, Ottawa and Occidental Railway, and for reimbursing the consolidated revenue fund of the province for moneys heretofore advanced therefrom for railway purposes; Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Preamble.

1. The Lieutenant Governor, in council, may authorize the provincial treasurer to contract a loan of eight hundred thousand pounds sterling, and for that purpose to issue, sell, negotiate and deliver bonds or debentures of this

Loan of £800,000 stg. by the prov. treas. may be authorized by Lieut. governor.

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Form of debentures.

province for a like amount; which bonds or debentures shall be payable in thirty years from the date of the issue thereof, and shall bear interest at a rate not exceeding five per centum per annum, with a sinking fund of one per centum per annum, for the redemption of such bonds; and such bonds or debentures shall be issued in the form and according to the mode and conditions, and in such currency, and payable in the place or places which, in the interest of the province, the Lieutenant Governor, in council, shall deem expedient to prescribe.

Power to substitute issue of debentures for £378,000 stg.

2. It shall be lawful for the Lieutenant Governor, in Council, to authorize and empower the said treasurer, in lieu of such issue of bonds as aforesaid, to substitute an issue of bonds of this province, for the sum of eight hundred and seventy eight thousand six hundred pounds sterling; which said substituted bonds shall bear interest at the rate of four and one half per cent, per annum, and shall be redeemed, in principal and interest, by means of an annuity during thirty nine years of forty eight thousand pounds sterling, payable semi-annually; and such annuity shall be a charge upon the consolidated revenue fund of this province, in accordance with the provisions of the treasury department act, as amended by the act 40 Vict., chap. 5.

Employment of moneys so borrowed.

3. The amounts, raised by such loan and issue of bonds or debentures shall be employed in the payment of the balance due to any railway company, upon any subsidy granted by the Legislature, for the completion of the Quebec, Montreal, Ottawa and Occidental railway, and for reimbursing the consolidated revenue fund of the province, for moneys heretofore paid therefrom for railway purposes.

Act in force.

4. This act shall come into force on the day of its sanction.

#### CAP XLVI.

An Act to amend the acts respecting the Quebec and Lake St. John Railway Company.

[Assented to 24th July, 1880.]

Preamble.

WHEREAS the Quebec and Lake St. John Railway Company have, by their petition, represented that by an Act of this Province, passed in the thirty-fourth year of Her Majesty's reign, and intituled: "An Act to authorize the Quebec and Gosford Railway Company to prolong



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their railway to Lake St. John," the said Quebec and Gosford Railway Company were authorized to extend their railway, from the township of Gosford to some point on Lake St. John, following the easiest and most practicable route, and were also authorized to assume the name of "The Quebec and Lake St. John Railway Company ;"

Whereas the said company has accepted and approved of the said act, in accordance with the terms thereof, and they are now carrying out the construction and equipment of their railway, and are actually and earnestly engaged in its completion ;

Whereas since the commencement of the construction of the said railway and during the progress of its operations a need of further powers has become manifest, and it would greatly facilitate the working of its charter, and simplify its operations, if the said charter were modified, in the sense hereinafter indicated ; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. Section 2, of chapter 52, of the act 32 Victoria, is s. 2 of 32 v., amended, by striking out all the words from the word : " following " in the fifth line of the said section, to the word : " Gosford," in the eighth line of the said section, both inclusive, and inserting therein, instead thereof, the words : " to the company's bridge over the river Jacques-Cartier, now in course of construction, following such direction as to the directors of the said company may appear most advantageous to the interests of the railway."

2. Section 2, of chapter 24 of the act 34 Victoria, is s. 2, 24 v., o. 24 amended, amended, by striking out all the words commencing with the word : " from," in the fourth line of the said section, and ending with the word : " Gosford," in the sixth line of the said section, both inclusive, and inserting therein, instead, the words : " from the company's bridge over the river Jacques-Cartier, now in course of construction."

3. The directors of the said company are hereby au-  
thorized to build and work any branch lines, which, in  
their opinion, may be advantageous to the traffic of the  
said railway ; provided always that no such branch line  
shall exceed six miles in length.

4. The said company is hereby empowered to build a  
branch line of railway, from the terminus at Lake St. John,  
or thereabouts, to the town of Chicoutimi, to Ste. Anne, or  
to St. Alphonse, by such route as may seem best to the  
directors of the said company ; provided always that the

subsidy previously granted to the said company by the Legislature shall not extend or be applied to the branches authorized by this act.

Delay to complete road extended.

Proviso.

5. The time for the completion of the said railway to Lake St. John is hereby extended to the thirty first day of December, one thousand eight hundred and eighty-five. Provided always that if the said road be not wholly completed and ready to be put in operation as far as the southern extremity of *L'Île du Lac Édouard*, on or before the thirty-first day of December, one thousand eight hundred and eighty two, the charter of the said company shall be forfeited and declared to be so, to all lawful intents and purposes, for the uncompleted portion thereof.

Inconsistent provisions repealed.

Act in force.

6. All portions of any act referring to this company, inconsistent with this act, are hereby repealed.

7. The present act shall come into force on the day of its sanction.

## CAP. XLVII.

### An Act to incorporate the South Shore Railway and Tunnel Company.

[Assented to 24th July, 1880.]

Preamble.

**W**HEREAS Louis Adelard Sénécal, the Honorable Bradley Barlow, François Xavier Archambault, Azro Buck Chaffee, Lucius Robinson, Thomas E. Foster, Alexander Cameron, M. D., M.P.P., R. J. Kimball, Thomas Wilson, Jean Baptiste Renand, Louis Allard, George W. Stephens, Willis Russel and A. Laberge, have, by petition, represented that the construction of a railway and a tunnel as hereinafter described would be of general advantage ; and whereas they have prayed, by their said petition, for an act incorporating them and all other persons or corporations which may become shareholders in the said company, as a company for constructing the same ; and whereas it is expedient to grant the prayer of the said petition ; Therefore Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Persons incorporated.

1. The said Louis Adelard Sénécal, the Honorable Bradley Barlow, François Xavier Archambault, Azro Buck Chaffee, Lucius Robinson, Thomas E. Foster, Alexander Cameron, M.D., M.P.P., R. J. Kimball, Thomas Wilson,

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Jean Baptiste Renaud, Louis Allard, George W. Stephens, Willis Russell, A. Laberge, Raymond Préfontaine, M.P.P., and C. O. Perrault, with all such other persons or corporations as shall become shareholders in the company hereby incorporated, shall be, and they are hereby constituted a body politic and corporate by the name of: "The South Shore Railway and Tunnel Company."

Name of corporation.

2. The said company and their servants shall have full power and authority to lay out, construct, make and finish a continuous double or single track iron or steel railway of a standard gauge of four feet eight inches and one half, and also a telegraph line throughout the entire length of such railway, with the proper appurtenances, from a point at or near Dundee, in the county of Huntingdon, and thence, in an easterly direction, to a point, in the county of Chambly, opposite or nearly opposite the city of Montreal, passing through and near the villages of the parishes of St. Martin, St. Malachie d'Ormstown and Huntingdon, with power to build branch lines connecting with any railway south of the river St. Lawrence.

General powers of corporation.

The said company shall also have power to build, own and operate steam and other vessels in connection with the said railway, and may maintain and operate a steam or other ferry between the eastern terminus of their railway and the city of Montreal.

And the said company shall have the power to construct a tunnel of sufficient width to allow of a double track of railway to be laid therein, upon the entire length thereof; such track to be of said gauge of four feet eight inches and one half, from a point, at or near the town of Longueuil, or the village of St. Lambert, to the city of Montreal, or the village of Hochelaga, or near the same, and shall have full power to lay a double track of such gauge therein and for that purpose, they shall have power to dig and excavate, on both sides of and under the river St. Lawrence, at such points and to such extent as shall be deemed necessary for the purposes of said tunnel, and the said company shall have power to connect their line of railway at or near the terminus thereof, in the county of Chambly, with the track in the said tunnel, and to continue a railway line, from the outlet of the said tunnel, on the north shore of the river St. Lawrence, to a point on the Quebec, Montreal, Ottawa and Occidental railway, so as to connect with the same.

3 The capital of the company shall be five million dollars, and shall be divided into shares of one hundred dollars each, but may be increased, from time to time, by

Amount of capital of company, and power to increase.

vote of the majority in value of the shareholders, present in person or represented by proxy, at a meeting specially called for the purpose, to an amount not exceeding ten million dollars.

Power to acquire as aid.

4. It shall be lawful for the company to receive, as aid in the construction of the said railway, any vacant lands or any other real or personal property, or any sums of money, either as gifts or by way of bonus, or in payment of stock, and legally to dispose of the same, and to alienate the said lands and other real or personal property for the purposes of the company.

Provisional directors.

5. Louis Adelard Sénécal, the Honorable Bradley Barlow, François Xavier Archambault, Azro Buck Chaffee, Lucius Robinson, Thomas E. Foster, Alexander Cameron, M.D., M.P.P., R. J. Kimball, Thomas Wilson, Jean Baptiste Renaud, Louis Allard, George W. Stephens, Willis Russell, A. Laberge, Raymond Préfontaine, M.P.P., and C. O. Ferrault, are hereby constituted a board of provisional directors of the company, and shall hold office as such until other directors shall be elected under the provisions of this act by the shareholders, and shall have power and authority to fill vacancies occurring therein, to open a stock-book, and have stock taken for the undertaking, and to receive payments on stock subscribed.

General meeting.

6. When and so soon as one-tenth part of the said capital stock shall have been subscribed as aforesaid, and one-tenth of the amount so subscribed paid in, the said provisional directors, or a majority of them, may call a meeting of the shareholders, at such time and place in the city of Montreal, as they shall think proper, giving at least two weeks' notice thereof, in the Quebec Official Gazette, and in one English and one French or more newspapers published in the city of Montreal, and by a circular letter mailed to each shareholder, at which said meeting, the shareholders, present in person or represented by proxy, shall elect fifteen directors, in the manner and

Notice for that purpose.

qualified as hereinafter provided; which said directors shall constitute a board of directors, and shall hold office until the first Wednesday in the month of February in the year following their election.

First election of directors.

Annual general meeting:

7. On the said first Wednesday, in the month of February, in the year next following and on the first Wednesday, in the month of February, in each year thereafter, at the principal office of the company, in the city of Montreal, there shall be held a general meeting of the

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shareholders of the company, for receiving the report of the directors, transacting the business of the company, whether general or special, and electing the directors thereof, and at such meeting, the shareholders shall elect directors for the ensuing year, in the manner and qualified as hereinafter provided, which directors shall be fifteen in number, unless and until their number shall be changed by by-law, and the number may, from time to time, be fixed by such by-law, at not less than nine nor more than fifteen; and public notice of such annual meeting and election shall be given by the publication for one month before the day of election, of an advertisement in the Quebec Official Gazette, and in one French and one English or more newspapers, in the city of Montreal and by a circular letter mailed to each shareholder; and the election of directors shall be by ballot; and the persons so elected, together with any *ex officio* directors, shall form the board of directors, and at all meetings of shareholders, they may vote by proxy. such proxy to be held by a shareholder.

Election of directors.

Notice to that effect.

Method of election.

Board of directors.

8. A majority of the directors shall form a quorum for the transaction of business, and the said board of directors may employ one or more of their number, as paid director or directors; Provided, however, that no person shall be elected a director, unless he shall be the holder and owner of at least one hundred shares of the stock of the company, and shall not be in arrear, in respect of any calls thereon.

Quorum of directors.

9. Any municipal council of a municipality which has given a bonus in aid of the said railway or its branches, amounting to not less than twenty thousand dollars, shall be entitled to appoint a person, annually, to be a director of the company, and such person shall be a director of the company, in addition to all the other directors authorized by this act, or by "The Quebec Railway Act, 1869," or any other act; but such municipality shall incur no liability by the appointment of such director, and shall not be entitled to vote upon their stock at the election of directors.

Municipal council giving bonus may appoint director.

10. In the election of directors, under this act, and in the transaction of all business at general meetings of shareholders, each shareholder shall be entitled to as many votes as he holds shares upon which the calls made have been paid up.

Right of voting.

11. The directors may, from time to time, make calls upon the shareholders, upon the shares held by them in the capital stock of the company, in such proportion as

Calls.

they may see fit, not exceeding ten per cent in any one call; and the directors shall give thirty day's notice of such call, in such manner, as they may by by-law appoint, and no call shall be made, at a less interval than two months from the previous call.

Principal office of company.

12. The head office of the company shall be at the city of Montreal.

Power to become parties to bills and notes.

13. The company shall have power and authority to become parties to promissory notes and bills of exchange, for sums not less than one hundred dollars; and any such promissory note or bill of exchange made or endorsed, drawn or accepted, by the president or vice-president of the company and countersigned by the secretary and treasurer of the company, and under the authority of a majority of a quorum of the directors, shall be binding on the company; and every such promissory note or bill of exchange so made, endorsed, drawn or accepted, shall be presumed to have been made, endorsed, drawn or accepted with proper authority, until the contrary be shown; and in no case shall it be necessary to have the seal of the company affixed to such promissory note or bill of exchange, nor shall the president or vice-president or the secretary and treasurer of the company, be individually responsible for the same, unless the said promissory note or bill of exchange has been issued without the sanction and authority of the board of directors as herein provided and enacted; provided, however, that nothing in this section, shall be construed to authorize the company to issue notes or bills of exchange payable to bearer, or intended to be circulated as money, or as the notes or bills of a bank.

Official seal not necessary and officers not individually responsible.

Proviso.

Power to issue mortgage bonds for certain purposes.

14. The company may issue mortgage bonds for not less than two thousand dollars each, to the extent of twenty thousand dollars per mile, upon the entire length of their railway, and three million dollars upon their tunnel, for the purposes of the undertaking, authorized by the present act, but such issue shall not be made except under the authority of a special general meeting of the shareholders, called for the purpose of considering it, and thereafter shall constitute a first mortgage, by, thec and privilege upon the said railway or the said tunnel or both, according to the tenor thereof, and upon its property, real and personal, rolling stock, plant, tolls and revenues, after deduction, from such tolls and revenues, of the working expenses of the railway and tunnel and such mortgage and hypothec shall be evidenced by a deed or deeds of mortgage and hypothec, executed by the company, with the

How such mortgage may be proved.



authority of its shareholders, expressed by a resolution passed at a special general meeting thereof called for the purpose ; which deed or deeds shall contain such conditions respecting the payment of the said bonds, and of the interest thereon, and respecting the remedies which shall be enjoyed by the holders thereof, or by any trustee or trustees for them, in default of such payment, and for enforcing such remedies, and for such forfeitures and penalties in default of payment thereof, and of the interest or coupons thereon, as may be approved by such meeting ; and may also, with the approval aforesaid, authorize the trustee or trustees, upon such default, as one of such remedies, to take possession of the said railway and tunnel, and property mortgaged, and hold and run the same, for the benefit of the bondholders thereof, for a time limited by such deed or deeds, or to sell the said railway, tunnel and property, after such delay and upon such terms and conditions as may be stated in such deed or deeds ; and, with like approval, may thereby grant such further and other powers and privileges to such trustee or trustees and to such bondholders, as are not contrary to law or to the provisions of this act, including the right to the holders of such bonds to vote at meetings of shareholders and bondholders whenever an instalment either of interest or capital is in default, as shall be described in such deed or deeds, and every such mortgage-bond shall specify whether the railway or the tunnel or both are mortgaged thereby. But no such bonds shall be issued upon the said railway unless ten miles thereof have been built, and then bonds to the amount of two hundred thousand dollars may be issued, and so on, after each ten miles of road shall have been built, and no such bonds shall be issued upon such tunnel, until the government engineer shall have made a report to the Lieutenant Governor in council, that at least one hundred thousand dollars have been expended on the construction of such tunnel, and then bonds to the latter amount may be issued, and so on, whenever a report is made, in the same manner, that a further sum of one hundred thousand dollars or over has been expended on the construction of the tunnel, until the said road and tunnel are completed, and then the balance of the said bonds may be issued.

Conditions in deeds, &c.

Power of trustee to take possession of such tunnel in certain cases.

Other powers of trustees.

Conditions of issue of bonds.

15. The words : " working expenses, " shall mean and include all expenses of maintenance of the railway and tunnel, and of the stations, buildings, works and conveniences belonging thereto and of the rolling stock and other stock and movable plant used in the working thereof ; and also, all such tolls, rents or annual sums as may be

Meaning of term " working expenses."



paid in respect of property leased to or held by the company, or in respect of the hire of engines, carriages or waggons let to the company; also, all rents, charges or interest on lands belonging to the company, purchased but not paid for, or not fully paid for; and also, all expenses of and incidental to working the railway and tunnel and the traffic thereon, including stores and consumable articles; also, rates, taxes, insurance and compensation for accidents or losses; also, all salaries and wages of persons employed in and about the working of the railway, tunnel and traffic; and all office and management expenses, including directors' fees, agency, legal and other like expenses; and generally all such charges, if any, not otherwise specified.

Power to build  
stations, &c.;

**16.** The company shall have power and authority to erect and maintain all necessary and convenient buildings, stations, depôts, warehouses, steam or other elevators and fixtures, and, from time to time, to alter, repair or enlarge the same, as the increasing traffic may require; and shall also have full power and authority to connect any of the works herein mentioned with any point on the railway, by means of any line or lines of railway for such purposes.

To make ar-  
rangements  
with other  
railway com-  
panies.

**17.** The directors of the company shall have full power and authority to enter into and conclude any arrangements with any other railway company of the Province of Quebec or the United States, for the purpose of making or acquiring any branch or branches to facilitate a connection between the company hereby incorporated and such other railway company, or to acquire the corporate property and franchise of such other company.

Certain ar-  
rangements to  
be considered  
made under  
Quebec Rail-  
way Act.

**18.** Except as otherwise provided by this act, every railway in the Province of Quebec, acquired by the company, either by purchase or amalgamation, and every branch in the Province of Quebec, made or acquired by the company, in pursuance of any arrangement under the provisions of this act, shall be held and deemed to be according to the true intent and meaning of "The Quebec Railway Act, 1869," a railway constructed under the authority of an act passed by the legislature of Quebec.

Power to lease  
the road.

**19.** The company may enter into an arrangement with any other railway company, or with the government of the Province of Quebec, for leasing the said railway or the said tunnel or both or any part or branch thereof, or the use thereof, at any times, and for any period, or for leasing or hiring from such other company or said govern-

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ment any railway or any part or branch thereof, or the use thereof, at any time or times, and for any period or for leasing or hiring as lessors or lessees any locomotives, tenders, cars or other rolling-stock or moveable property from any such company or any company or individuals or the said government, and generally to make any agreement or arrangements with any such other company or the said government, touching the use by one or the other, or by both of the said tunnel or railway or rolling-stock or moveable property from any such company or any company or individuals, or the said government and generally to make any agreement or arrangements with any such other company or the said government touching the use by one or the other, or by both of the said tunnel or railway or rolling stock or moveable property of either or both or any part thereof, or touching any service to be rendered by the one to the other, and the compensation therefor; Provided the said leases, agreements and arrangements have been first respectively sanctioned by the majority of votes, at a special general meeting of the shareholders, called for the purpose of considering the same respectively, after due notice given as provided by "The Quebec Railway Act, 1869."

20. Any other railway company wishing to avail themselves of the use of the said tunnel for the carrying over their locomotives and cars, shall be entitled to use the same, by applying to the board of directors of the company, and submitting themselves to the rules and regulations to be promulgated for such purposes, and the amount of compensation to be paid for such transportation shall be determined by an order in council passed by the executive council of the province of Quebec, upon the report to that effect of their chief railway engineer.

21. The company shall have power to expropriate, for the purposes of their railway and for the purposes of their tunnel, under the same conditions as provided for in favor of railway companies under the Quebec Railway Act, 1869, and they shall enjoy to that effect all powers granted to railway companies by the said act.

22. All shareholders in the company, whether British subjects or aliens or residents of Canada or elsewhere, shall have equal rights to hold stock in the company, and to vote on the same, and be eligible to any office in the company.

23. Any deed or conveyance of land to the company may be in the form of schedule A, to this act annexed, and

Power of other companies to use the tunnel for certain purposes and upon certain conditions.

Power to expropriate lands for railway, &c., upon certain conditions.

Persons who may hold stock &c.,

Form of deeds of sale to company.

Registrar to be furnished with book at expense of company.

may be registered at full length, upon the affidavit of one of the witnesses to the execution thereof, made before the officers usually authorized to receive the same and a deed in such form, or in words of like import, shall be a legal and valid conveyance of the lands and immoveables therein mentioned, to all intents and purposes, and the registration thereof shall be of the same effect as if such deed were executed before a notary. And in order that all such deeds be duly registered, all registrars, in their respective counties, shall be furnished by and at the expense of the said company, with a book containing copies of the form given in the said schedule A, which are to be printed on each page, leaving the necessary blanks to suit the circumstances upon each separate conveyance, and shall, upon the production of any conveyance, enter the same in the said book, without any memorial, and shall minute the enregistration, or entry on the deed, and the registrar shall charge and receive from the said company, for all fees on such registration, besides the required stamps, fifty cents and no more, and such registration shall be deemed to be valid in law, any statute or provision of law to the contrary notwithstanding.

Powers limited.

24. The powers given by this act shall only be exercised if the railway is commenced within three months, and the completion thereof within two years, after the sanctioning of this act, and if the tunnel is commenced within one year and the completion thereof within five years from the sanctioning of this act.

Commencement of work.

25. Work shall be commenced on the said railway and on the said tunnel only after the plans and specifications thereof shall have been submitted to the government engineer of this province and approved by the Lieutenant Governor, in council, and after a sum of ten thousand dollars shall have been deposited in the hands of the treasurer of the province, to cover the cost of the work of exploration and the preparation of the plans and specifications of the said tunnel; and such work of exploration and preparation of the plans and specifications shall be forthwith commenced and conducted under the superintendence of an engineer, appointed by the government for that purpose.

Date of coming into force of charter.

26. This charter shall come into force only by proclamation, which shall be issued only after the lieutenant-governor, in council, due regard being had for existing charters, shall have proof that the company has at its disposal, sufficient resources to carry out the said work,

upon the said tunnel and railway, within the delay granted by the present charter, and the work of construction shall be commenced only when the said company shall have consented to and signed a deed of agreement, which shall be considered as forming part of the present charter, granting to the satisfaction of the Lieutenant Governor, in council, satisfactory and permanent advantages to the Quebec, Montreal, Ottawa and Occidental Railway, and to the general traffic of the province, in such manner that the said tunnel shall always be open to traffic, by railway or otherwise.

SCHEDULE A.

*Form of Deed of Sale.*

Know all men by these presents that I, A. B., of \_\_\_\_\_, do hereby in consideration of \_\_\_\_\_, paid to me by The South Shore Railway and Tunnel Company, the receipt whereof is hereby acknowledged,—grant, bargain, sell and convey unto the said, The South Shore Railway and Tunnel Company, their successors and assigns, all that tract or parcel of land (*describe the land*) to have and to hold the said land and premises, unto the said company, their successors and assigns for ever.

Witness my hand and seal at \_\_\_\_\_, this day of \_\_\_\_\_ one thousand eight hundred and \_\_\_\_\_

Signed, sealed and delivered }  
 in presence of } C. D. } A. B. (L.S.)

CAP. XLVIII.

An Act to incorporate "The St. Lawrence River Tunnel Company."

[Assented to 24th July, 1880.]

**W**HEREAS the persons hereinafter mentioned and Preamble. others, have, by their petition, represented that the construction of a tunnel, for railroad and other purposes, under and across the River St. Lawrence, in the vicinity of the city of Montreal, which should be open on fair and equal terms to the use of the public, and of the govern-

ment and all other railways, from various parts of the Dominion and of the United States, running to or through the said city or the vicinity thereof, would be of the greatest advantage to the inhabitants of Montreal and neighboring towns and villages, and to the people of this province and of every part of the Dominion, and is essential to the proper working and success of the government and other railways, now in operation or in course of construction throughout the Dominion; and have prayed to be incorporated as a Company under the name of "The St. Lawrence River Tunnel Company," with power to acquire, by expropriation or otherwise, such land on each side of the river St. Lawrence, in the vicinity of the said city of Montreal, as may be necessary for the purposes of the said Company, and to connect the same by a tunnel under the bed of the said river, and with all other powers requisite for making and maintaining such tunnel, and for constructing, equipping and maintaining such underground and branch railways and other works on either side of the said river, as may be necessary for the convenient using of the said tunnel; and it is expedient to grant their prayer; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Persons incorporated.

7. Robert Cassels, financial agent, Henry Lyman, wholesale druggist, Adolphe Lévêque, architect, Joseph Octave Villeneuve, merchant, Henry Hogan, hotel proprietor, Alexander Walker, merchant, Thomas Craig, banker, Jean Lukin Leprohon, M.D., Charles H. Walters, commission merchant, Lewis A. Hart, notary public, George Horne, stationer, Edouard Beaufort, gentleman, with all such other persons and corporations as shall become shareholders in the company hereby incorporated, and shall be and are

Name of company.

hereby constituted a body politic and corporate by the name of "The St. Lawrence River Tunnel Company," and

General powers.

shall have power to acquire, by expropriation or otherwise, such lands on both sides of the said river as may be necessary for the purposes of said company and the convenient using of such tunnel; and shall have all powers appertaining to railway corporations in general, and the powers and privileges conferred on such corporations by the Quebec Railway Act, 1869, subject to the provisions hereinafter mentioned.

Power to build a tunnel &c. in certain place.

8. The said company and their servants and agents shall have full power to lay out, construct, make and finish, on each side of the river St. Lawrence, such tunnels, and underground and branch lines of railway, between such points as they shall select, connecting with the line or lines

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of any railway or railways coming to or near the village of Hochelaga and the line or lines of any railway or railways coming within the town or the parish of Longueuil ; provided such branches shall not be more than two miles <sup>Proviso.</sup> from the mouth of the tunnel ; and to lay out, construct, make and finish a tunnel under the bed of the said river to connect the said underground and branch railways on either side thereof, and such other works as may be necessary for the convenient using of the said tunnel ; provided always, that in the construction of the said tunnel, the said company shall not cause any obstruction in, or in any way interfere with or impede, the free navigation of the said river St. Lawrence.

And the said company shall have power to so construct <sup>Power to adapt tunnel for ordinary vehicles, &c.</sup> the said tunnel, as to adapt it to the passage of ordinary vehicles, passengers and animals, and may make, on each side of the said river, such underground and ordinary roads, as may be necessary, to connect the said tunnel with any main roads or highways at or near the village of Hochelaga, and the town or the parish of Longueuil.

3. The capital stock of the said company shall not exceed <sup>Capital stock of company.</sup> the sum of five million dollars currency, divided into ten thousand shares of five hundred dollars each, with power to increase the same as provided by the Quebec Railway Act, 1869 ; which amount shall be raised by the persons <sup>How raised.</sup> and parties above named, or some of them, together with such other persons and corporations as may become shareholders in the said company ; and the money so raised shall be applied, in the first place, towards the payment <sup>Application of money so raised.</sup> and discharge of all fees, expenses and disbursements for procuring the passage of this act, and for making the surveys, plans and estimates connected with the said tunnel and underground railways ; and all the rest and remainder of such money shall be applied towards making completing and maintaining the said tunnel and underground railways, and the other purposes of this act.

4. The said Robert Cassels, Adolphe Lévêque, Henry <sup>Provisional directors.</sup> Hogan, Thomas Craig, Jean Lukin Leprohon, M.D., George Horne, Edouard Beaufort, and Lewis A. Hart, shall be and are hereby constituted a board of provisional directors of the company, the majority of whom shall constitute a quorum for the transaction of business, and shall hold office, as such, until other directors shall be elected by the shareholders under the provisions of this act. The said <sup>Their powers.</sup> directors shall have power and authority to fill any vacancies occurring among them, and to take all necessary steps for opening stock-books for the subscriptions of parties

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desirous of becoming shareholders in the said company, and to deliver certificates of the number of shares any subscriber may have taken, and to receive payment on account of stock subscribed, and to make calls upon subscribers in respect of their stock; and all persons subscribing to the capital stock of the said company shall be considered proprietors and shareholders in the same, but shall be responsible only to the extent of their stock therein.

Subscribers to be shareholders.

First general meeting.

Notice to that effect.

Method of election.

Board of directors.

5. When and so soon as one-tenth part of the capital stock shall have been subscribed as aforesaid, either in municipal debentures, granted by way of bonus or otherwise, or in ordinary subscriptions by individuals to the capital stock, or partly in such municipal debentures and partly in such subscriptions, and one-tenth of the amount so subscribed shall have been paid in, the said directors, or a quorum of them, may call a meeting of the shareholders at any place in the city of Montreal, and at any time they may deem proper, by giving at least one month's notice thereof, in the French and English languages, in one or more newspapers published in the said city, at which meeting, as well as at the annual general meetings in the following sections mentioned, the shareholders present thereat, either in person or by proxy, shall elect nine directors in the manner and qualified as hereinafter provided; which said nine directors shall constitute the board of directors, and shall hold office until the first Monday in the month of May, in the year following their election, or until the election of their successors.

The principal office of the said company shall be at the said city of Montreal.

Subsequent annual general meetings.

Notice of such meetings.

6. On the said first Monday in May, and on the first Monday in May, in each year thereafter, there shall be held at the principal office of the said company at Montreal, a general meeting of the shareholders of the said company, at which meeting they shall elect a like number of nine directors for the then ensuing year, in the manner and qualified as hereinafter provided, and the said directors shall remain in office until others shall be elected in their stead; and public notice of such annual general meeting shall be published in the English and French languages, during one month before the day of election, in one or more newspapers, in the city of Montreal, and the elections of directors shall be by ballot, and the persons so elected shall form the board of directors; provided, always, that shareholders, residing abroad, shall respectively have been called by notice forwarded by registered letter sixty days before such meeting.



7. A majority of the directors shall form a quorum for the transaction of business; and no person shall be elected a director unless he be the owner and holder of at least ten shares in the capital stock of the said company, and be not in arrears in respect of any calls made thereon; and the said board of directors are hereby authorized to procure subscriptions for stock, until the whole has been taken up, and to make, execute and deliver scrip and share certificates therefor, as they shall deem expedient.

8. The directors, or the majority of them, may, from time to time, replace one or more directors deceased or refusing to act as a director, by choosing among the shareholders one or more persons, holders and owners of a sufficient number of shares to qualify them to act as directors as above mentioned; and the said directors so named shall hold office until the next general meeting in the following month of May, or until the election of their successors. The directors shall, immediately after the annual election, choose and appoint from among themselves a president and a vice-president; and the said board of directors, as well as the provisional board of directors, may employ one or more of their number as paid and managing directors, with such salary as the board shall determine.

9. Each shareholder shall be entitled to a number of votes equal to the number of shares he shall have had in his own name at least two weeks prior to the time of voting; provided that no party or parties shall be entitled to vote at the meetings of shareholders who shall not have paid up all the calls due upon his or their stock at least twenty-four hours before the hour appointed for the meeting.

10. The directors may, at any, time, call upon the shareholders for instalments upon each share which they or any of them may hold in the capital stock of the said company, in such proportions as they may see fit; no such instalment to exceed ten per cent, and the directors shall give one month's notice of such call, in such manner as they may appoint.

11. It shall be lawful for the said company to receive from the Dominion and the Provincial governments, or either of them, and from any individuals or companies, and from any municipal, railway or other corporations, either in Canada or elsewhere, as aid in the construction of said tunnel and underground and branch railway, any loan of credit or guarantee of the said company's bonds or debentures, and any such sums of money, or bonds or debentures,

either as gifts or by way of bonus, or in payment of stock, and any lands or other real or personal property, and legally to dispose of the same, and to alienate the said lands or other real or personal property, for the purposes of the said company, in carrying out the provisions of this act; and any of the said companies and municipal or other corporations may legally subscribe for or otherwise acquire and hold any number of shares in the capital stock of the company hereby incorporated, and may dispose of the same in any manner they may deem advisable.

Power of corporations and municipal corporations to subscribe to stock in company.

**13.** Any municipal corporation of any city, town or other municipality, which shall have given a bonus in aid of the said tunnel, and the branch and underground railways connected therewith, amounting to not less than fifty thousand dollars, shall be entitled, during the construction of the tunnel and its branch and underground railways, but not afterwards, to appoint a person annually to be a director of the company, and such person shall be a director of the company, in addition to all the other directors authorized by this act, or by the Quebec Railway Act, 1869, or any other act; but such municipality shall incur no liability by the appointment of such director.

Power of municipal corporations to appoint director on granting bonus.

**14.** Any municipal council of any municipality as aforesaid, holding stock in the said company, to an amount of not less than fifty thousand dollars, shall be entitled to appoint one person, annually, to be a director of the company; and if to an amount of not less than two hundred and fifty thousand dollars, shall be entitled to appoint, annually, two persons to be directors of the said company; and such person or persons shall be a director or directors of the said company in addition to all the other directors authorized by this act.

The same, if they have subscribed to the stock.

**15.** The said company shall have power and authority to become a party to promissory notes and bills of exchange for sums not less than one hundred dollars, and any promissory note or bill of exchange made or drawn by the president or vice-president of the company, and countersigned by the secretary and treasurer thereof, and under the authority of a quorum of the board of directors, shall be binding on the said company; and every such promissory note or bill of exchange, so made, shall be presumed to have been duly made under the necessary authority until, proof to the contrary; and it shall not be necessary in any case to affix the seal of the said company to such promissory note or bill of exchange; neither shall the president, nor the vice-president, nor the secretary and treasurer of the said

Power of the company to become parties to bills and notes.

Seal not required; officers not responsible personally.

company be held individually responsible for the same, unless such promissory note or bill of exchange have been issued without the authority of the board of directors, as herein provided and enacted.

**15.** When and so soon as one-fifth part of the capital stock shall have been subscribed in manner aforesaid, and one-half of the amount so subscribed shall have been paid in, the directors of the said company, upon being duly authorized and empowered thereto by the holders of at least two-thirds of the subscribed shares in the company, present at any annual meeting in the month of May, for the election of directors, or at any special meeting called for that purpose, whereof notice shall have been given in the manner prescribed in section six of this act, shall have power to raise the whole or any part of the balance of the money required for the undertaking, by issuing the bonds or debentures of the company, instead of by taking further subscriptions towards the capital stock thereof; and such bonds or debentures shall be signed by the president and the vice-president of the said company, and be countersigned by the secretary and treasurer, and shall have the common seal of the said company affixed thereto, and shall not be for a less sum than five hundred dollars currency, or one hundred pounds sterling each, as the case may be, and such bonds or debentures shall be in such form and payable at such time and places as the directors from time to time, may appoint and direct; and they shall be and form a first charge on the lands, buildings, tolls, income and other property of every description belonging to the said company, without any necessity for the re-registration thereof; and the holder or holders of any of the said company's bonds or debentures shall have the right, at any time, to surrender the same to the said company, and take in lieu thereof an equal amount of paid-up capital stock in the said company, at the par value thereof, but only to the extent of any unsubscribed balance of the said capital stock, and subject to the by-laws, rules and regulations of the said company to be for such case made and provided.

**16.** Any railway company, wishing to avail themselves of the use of the said tunnel for the carrying over of their locomotives and cars, shall be entitled to use the same by applying to the board of directors of the company, and submitting themselves to the rules and regulations to be promulgated for such purposes, and the amount of compensation to be paid for such transportation shall be determined by an order in council, passed by the executive

Raising balance of funds, required without new subscriptions.

May issue bonds;

To be signed by president and vice-president.

Form of debenture; time and place of payment.

Power of holders of such debentures.

Companies desirous of using tunnel.

council of the province of Quebec, upon the report to that effect of their chief railway engineer.

Arrangements  
with other  
railway com-  
panies.

**17.** It shall be lawful for the said company to enter into and conclude any arrangements with any government railway, or any chartered railway company, coming within or near the said village of Hochelaga, or the town or the parish of Longueuil, for the purpose of making any branch or branches to facilitate a connection between the railway of the company and any of the said railways, and for the use of the tunnel and other property of this company, and for passing the engines and carriages of any of the said railways, with their freight and passengers, through and along the branch railways and tunnel of this company, and, generally, to make any agreement or agreements with any of the said other railways, touching the use by this company or by any other of the said railways, or by both, of the locomotives, tenders, cars or rolling stock or moveable property of either, or both, or of any part thereof, or touching any service to be rendered by this company, or by any other of the said railways, to the others or other, respectively, and the compensation therefor; and any such agreement or agreements shall be valid and binding and shall be enforced by all courts of law according to the form and tenor thereof.

Validity of  
powers grant-  
ed under this  
act.

**18.** The powers granted by this act shall be valid, only if the said tunnel and other works of the company hereby incorporated, shall be *bond fide* begun within one year and completed within five years from the passing of this act,

Conditions re-  
quired before  
commencing  
work.

**19.** Work shall be commenced on the said tunnel, only after the plans and specifications thereof, shall have been submitted to the government engineer of this province and approved by the Lieutenant-Governor in council, and after a sum of ten thousand dollars shall have been deposited in the hands of the treasurer of the province, to cover the cost of the work of exploration and the preparation of the plans and specifications of the said tunnel; and such works of exploration and preparation of the plans and specifications shall be forthwith commenced and conducted under the superintendence of an engineer appointed by the government for that purpose.

Coming into  
force of  
charter.

**20.** This charter shall come into force only by proclamation, which shall be issued only after the Lieutenant-Governor in council shall have proof that the company has, at its disposal, sufficient resources to carry out the said work, upon the said tunnel, within the delay granted

by the present charter, and the work of construction shall be commenced, only when the said company shall have consented to and signed a deed of agreement, which shall be considered as forming part of the present charter, granting to the satisfaction of the Lieutenant Governor in council, satisfactory and permanent advantages to the Quebec, Montreal, Ottawa and Occidental Railway, and to the general traffic of the province, in such manner that the said tunnel shall always be open to traffic, by railway or otherwise.

21. This act shall be cited as "The St. Lawrence River Tunnel Company Act;" and shall come into force on the day of its sanction.

Name and coming into force of act.

CAP. XLIX.

An Act to amend the acts relating to the South Eastern Railway Company, and to authorize the said company to issue new mortgage bonds.

[Assented to 24th July, 1880.]

WHEREAS the South Eastern Railway Company, (hereinafter called: "the company,") hath, by its petition, represented the following:

That the company, under the powers conferred by the several statutes relating thereto, hath constructed a line of railway, in the Province of Quebec, extending from West Farnham to the Province Line, near Abercorn, and from the Province Line, in the township of Sutton, to the Province Line, near Mansenville, and from Sutton Junction to Sorel; the total extent of such railway being one hundred and forty miles; and that the same is now operated by the said company;

That, for the purposes of this undertaking by the said company, the following amounts have been borrowed, under the provisions of the said statutes, and bonds therefor issued, namely: seven hundred and fifty thousand dollars; for which bonds to that amount, of the South Eastern Counties Junction Railway Company, have been issued; one hundred and fifty thousand dollars, for which bonds of the Richelieu, Drummond and Arthabaska Counties Railway Company have been issued; and six hundred and forty thousand pounds sterling, for which bonds to that amount of the South Eastern Railway Company have been issued; all of which said issue, firstly above mentioned,

and the greater part of the issues, secondly and thirdly above mentioned, are now outstanding ;

That the said company has been unable to pay the interest secured under the said bonds and the same is now in default and the earnings of the said company are insufficient to pay such interest ;

That the holders of a large majority in amount, of the said bonds have agreed to accept therefor, upon terms which have been arranged between them and the company, new bonds to carry first mortgage and charge upon the entire property of the company ;

And whereas the company, by their said petition, have prayed for authority to issue such mortgage bonds, and it is expedient to grant the prayer of the said petition ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Power to issue mortgage bonds.

1. It shall be lawful for the Company, to issue mortgage bonds to the extent of twelve thousand five hundred dollars per mile, upon its entire length of one hundred and forty miles of railway, as at present constructed, and also, at the same rate per mile, upon any branch or branches thereof, that may hereafter be constructed, such issue not to exceed in all two million dollars ; and for the purpose of securing the payment of the same and the interest thereon, to convey its railway, franchise and all property, rights and interest owned, possessed or enjoyed by it, and the tolls, income, profits, improvements and renewals thereof and all additions thereto, to trustees in trust for that purpose.

When such bonds shall be issued.

2. Such bonds and conveyance may be executed and issued, at any time under the authority of a vote of the shareholders of the company, passed at any meeting of such shareholders, legally called and held, authorizing the execution and issue of such bonds and conveyance.

How made and when & where payable.

3. Such bonds shall be of such denominations and shall be made payable at such time and place, in Canada or elsewhere, and in currency or sterling, or in both, and shall bear such rate of interest, payable at such times, and be executed in such manner, as the shareholders, at such meeting, shall direct ; and each of the said bonds shall be

By whom certified.

certified by the trustees, mentioned in the conveyance executed to secure the payment of the same, as being one of the bonds secured by such conveyance.

Trustees to be nominated by shareholders.

4. The trustees to whom such conveyance shall be made, shall be designated by the shareholders at the said meeting,



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and the said conveyance may be made in such form and executed in such manner as the shareholders, at such meeting, shall direct, and the company and the said trustees may therein stipulate for the filing of any and all vacancies that may happen in the said board of trustees and also for the changing, from time to time, of such trustees and replacing one or more of them by another trustee, or other trustees and may also stipulate therein as to who shall have the possession, management and control of the said franchise and other property therein conveyed, and receive the tolls and income thereof, and how the same shall be applied and disposed of, while such bonds shall be outstanding, as well before as after default shall be made in the payment thereof, or of any of the coupons thereto attached, and may also stipulate therein how, in the event of such default being made, the company may be divested of all interest, equity of redemption, claim or title in or to the said railway franchise, and other property therein conveyed, and how the same may become vested absolutely in the said trustees, or the holders and owners of the said bonds, in satisfaction of the said bonds and the interest thereon, and may make such other provisions therein, not contrary to law, as may be considered necessary or convenient for the purposes of such trust.

May demand  
control of road.

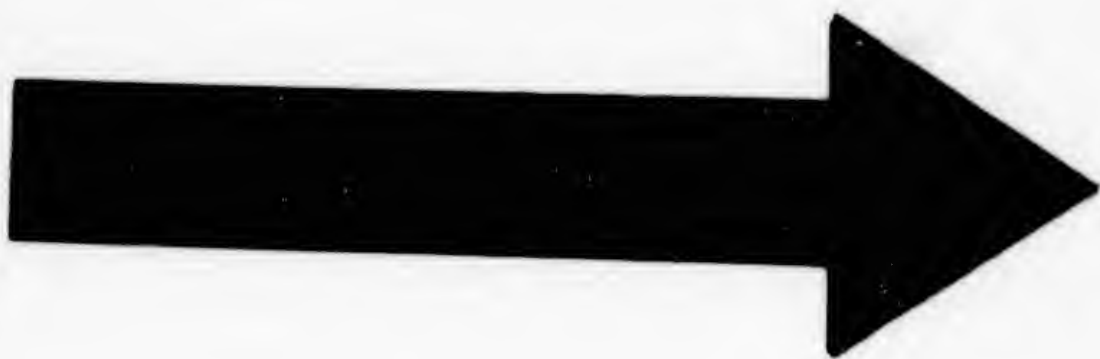
5. The trustees, mentioned in the said conveyance, and their successors in the said trust, are hereby authorized and empowered, as such trustees, when and as often as default shall be made in the payment of the said bonds, or of any of the interest coupons, thereto attached, to take possession of and run, operate, maintain, manage and control the said railway and other property conveyed to them, as fully and effectually as the company might do the same.

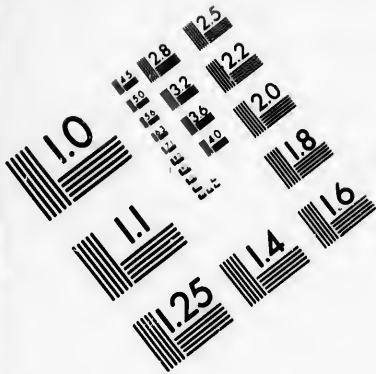
Powers of trust-  
tees.

6. In the event of default being made in the payment of the said bonds or any of the coupons thereto attached, and upon the performance of all things in the said conveyance stipulated and set forth, as being necessary to divest the company of all interest, right of redemption, claim or title in or to said railway and other property therein conveyed, the company shall be absolutely divested of all interest, right of redemption, claim or title in or to the said railway franchise and other property, and the same shall thereupon immediately be and become vested absolutely in the said trustees or the holders and owners of the said bonds, as in the said conveyance may be provided.

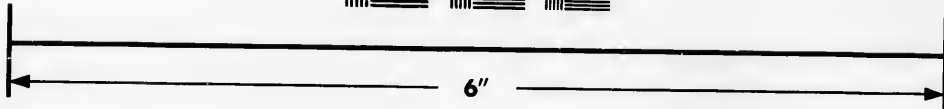
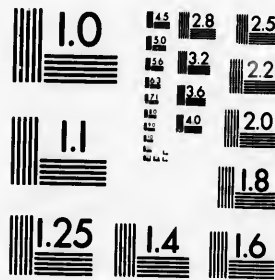
Default in  
payment of  
bonds, &c.







**IMAGE EVALUATION  
TEST TARGET (MT-3)**



**Photographic  
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**Effect of transfer.** 7. The said conveyance shall be, to all intents, valid and create a first lien, privilege and mortgage upon the said railway and other property thereby conveyed.

**Restriction upon issue of bonds.** 8. None of the said bonds shall be issued or negotiated nor shall any conveyance be executed under this act, until all of the outstanding bonds, heretofore issued by the company, shall be fully paid and satisfied, nor shall the rights, privileges, remedy or recourse of any holder of such outstanding bonds be affected, in any manner whatever, by the passing of this act, until the said bonds have been fully paid and satisfied as aforesaid.

**Provisions of charter inconsistent with this act repealed.** 9. All provisions of any of the acts, constituting the charter of the South Eastern Railway Company, in any wise inconsistent with this act, are hereby repealed.

**Acts forming charter of company.** 10. This act, and the other acts, presently citable as the charter of the South Eastern Railway Company, shall be held and construed as though forming one and the same act; and the expression: "The Charter of the South Eastern Railway Company," shall be a sufficient citation, as well of this act, as of all such other acts. It is hereby expressly declared that, neither the present proprietors of the said road, nor those contemplated under this act, shall have the power to close or cease running any part of the said road.

**Pending cases.** 11. Nothing in this act, shall, in any manner, affect suits now pending in any court of law.

**Act in force.** 12. This act shall come into force on the day of its sanction.

CAP. L.

An Act to incorporate "The Jacques-Cartier Union Railway Company."

[Assented to 24th July, 1880.]

**Preamble.**

**WHEREAS** Edouard Beaufort, Henry Hogan, Jean-Baptiste Rolland, Joseph Barsalou, Ernest Beaufort and the Honorable Henry Starnes and others have by their petition, asked for the incorporation of a company to construct the railway hereinafter described; and whereas the construction of the said railway would be of great advantage to trade; and whereas it is expedient to grant the prayer of the said petition; Therefore, Her Majesty, by and with the

advice and consent of the Legislature of Quebec, enacts as follows :

1. Edouard Beaufort, Henry Hogan, Jean-Baptiste Rolland, <sup>Persons incor-</sup>  
Joseph Barsalou, Ernest Beaufort, the Honorable Henry <sup>porated.</sup>  
Starnes and Arthur H. Murphy, and such other persons  
and corporations as shall become shareholders in the com-  
pany, hereby incorporated, shall be and are hereby consti-  
tuted a body politic and corporate by the name of : "The <sup>Name of cor-</sup>  
Jacques-Cartier Union Railway Company." <sup>poration.</sup>

2. The said company and their servants shall have full <sup>General</sup>  
power and authority to lay out, construct, make and finish <sup>Powers.</sup>  
a single or double railway, with iron or steel rails, of such  
width and gauge as the company may judge most advan-  
tageous from any point on the Grand Trunk Railway of  
Canada in the Parish of La Pointe Claire, or that of Lachine  
to any other point on the Railway of this Province, known  
as the "Quebec, Montreal, Ottawa and Occidental Rail-  
way," between Sault au Recollet and Mile End station.

3. In any case where the said railway shall have to <sup>Line of rail-</sup>  
cross any portion of the parish of St. Laurent, its line shall <sup>way through</sup>  
not be more than one mile distant from the parish church <sup>parish of St.</sup>  
of the said village, and a station shall be erected therein, <sup>Laurent.</sup>  
as well as a siding, which station and siding shall be  
maintained by the said railway company for the use of the  
inhabitants of the locality.

4. The capital stock of the said company shall be two <sup>Capital stock.</sup>  
hundred thousand dollars. (with power to increase the  
same as provided by the Quebec Railway Act, 1862, and  
the amendments thereto,) to be divided into two thousand  
shares of one hundred dollars each, which amount shall  
be raised by the persons hereinbefore named and such  
other persons or corporations as may become shareholders  
in the said stock, and the money so raised, shall be applied  
in the first place to the payment of all fees and disburse-  
ments incurred in the procuring and the passing of this  
act, and for making the surveys, plans and estimates con-  
nected with the railway, and the rest and remainder of  
the said money shall be applied towards making and  
maintaining the said railway, and to other purposes of  
this act.

5. Edouard Beaufort, Henry Hogan, the Honorable <sup>First directors.</sup>  
Henry Starnes, Ernest Beaufort, Joseph Barsalou, and  
Arthur H. Murphy are hereby constituted and appointed  
the first board of directors of the said company ; and any

Quorum. four of them shall form a quorum for the transaction of business.

Stock books. **6.** The said directors are hereby empowered to take all necessary steps for opening the stock books, for receiving the subscriptions of parties desirous of becoming shareholders in the company; and all persons subscribing to the capital stock of the said company, shall be considered proprietors and shareholders in the same, but shall be responsible only to the extent of their stock therein.

Subscribers, considered shareholders.

Municipal and other corporations may take stock. **7.** All manufacturing companies, or other incorporated companies and municipal corporations may subscribe to, or otherwise acquire and hold, any number of shares in the capital stock of the said company, and dispose of them in any manner they may deem advisable.

General meeting after notice, to elect directors. **8.** When as so soon as one tenth part of the capital stock shall have been subscribed as aforesaid and so soon as one tenth part of the shares subscribed shall have been paid, the directors may call a meeting of shareholders, at any place in the city of Montreal, the principal place of business of the said company, and at any time they may deem proper, by giving at least fifteen day's notice in both languages, in one or more newspapers published in the city of Montreal; at which general meeting and at the annual general meetings in the following sections mentioned, the shareholders present, either in person or by proxy, shall elect nine directors in the manner and qualified as hereinafter prescribed; which said nine directors shall constitute a board of directors and shall hold office until the first Tuesday in March in the year following their election, or until the election of their successors.

Proxies.  
Duration of office of directors.

Subsequent annual general meetings. **9.** On the said first Tuesday in March, and on the said first Tuesday in March, in each year thereafter, there shall be holden a general meeting of the shareholders of the said company, at the principal office of the said company, at which meeting the shareholders shall elect nine directors for the then ensuing year, in the manner and qualified as hereinafter prescribed, and public notice of such annual general meeting shall be published in both languages during fifteen days before the day of election, in one or more newspapers published in the city of Montreal, and the elections of directors shall be by ballot, and the persons so elected shall form the board of directors.

Mode of election.

Quorum for transacting business. **10.** Five directors shall form a quorum for the transaction of business; and no shareholder shall be elected a

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director of the said railway company, unless he be the holder and owner of at least ten shares in the capital stock of the said company, and have paid up all the calls upon the said shares.

11. All deeds and conveyances of lands to the said company for the purposes of this act, in so far as circumstances will admit, may be in the form of the schedule A to this act subjoined, or in any other form to the like effect. Form of deeds of land.

12. The directors of the said company, upon being duly authorized thereto by the holders of two thirds of the shares of the said company, present at any annual meeting for the election of directors, or at any special meeting called for that purpose, whereof fifteen days' notice shall have been given, in both languages, in one or more newspapers published in the city of Montreal, shall have power to issue their bonds made and signed by the president and the vice-president of the said company, and countersigned by the secretary and treasurer, and under the seal of the said company, for the purpose of raising money required for the undertaking; and such bonds shall be considered to be privileged claims upon the property of the said company, and shall bear hypothec upon the said railway, without enregistration; provided that the whole amount raised by such bonds, shall not exceed two hundred thousand dollars. Power of directors to issue bonds. Manner of issue. Effects of bonds. Proviso.

13. The said company shall have power and authority to become a party to promissory notes and bills of exchange for sums not less than one hundred dollars; and any promissory note or bill of exchange endorsed by the president or the vice-president of the said company, and countersigned by the secretary and treasurer, authorized by a quorum of the board of directors, shall be binding on the said company; and every such promissory note or bill of exchange, so made, shall be presumed to have been duly made under the necessary authority until proof to the contrary, and it shall not be necessary in any case to affix the seal of the said company on such promissory note or bill of exchange. Neither shall the president, nor vice-president, secretary and treasurer of the said company be held individually responsible for the same, unless such promissory note or bill of exchange have been issued without the authority of the board of directors, as hereby provided and enacted. Power of company to become party to bills and notes. Seal, not necessary. Officers, not individually responsible.

14. The directors or the majority of them may, from time to time, replace one or more directors deceased, or Replacing deceased directors.



refusing to act as a director, by choosing among the shareholders one or more persons, holders and owners of a sufficient number of shares to qualify them to act as directors, as above mentioned; and the said directors, so named, shall hold office until the next general meeting in March following.

Power to make arrangements with other companies, &c., for leasing railway, &c., and other purposes.

**15.** It shall be lawful for the said company to enter into any agreement with any other railway company, and the government of the province of Quebec, for the leasing of the said railway, or for the use of the said railway, at any time or for any period of time to such other company, or for the leasing or hiring of any locomotive, tender, or other movable property, and generally to make any agreement or agreements with any other company, touching the use by one or the other, or by both companies, of the moveable property of either or both, in whole or in part, or touching any service to be rendered by the one company to the other, and the compensation therefor; and any such agreement shall be valid and binding and shall be enforced by courts of law, according to the form and tenor thereof.

Coming into force of charter.

**16.** This charter shall come into force by proclamation of the Lieutenant Governor in council; and during the period of nine months from the passing of this act, the provincial government, under order in council, shall alone have the right to construct said railway on or near the line already surveyed; and in case the government decide to construct said railway, the powers conferred in this charter shall be and are hereby conferred upon said government as to expropriation of property, and other necessary powers to enable the government to construct the said railway, which may be built as a part of the government railway or in connection or conjunction with some other railway company at their joint expense; and in this case the railway shall be completed within two years from the passing of this act.

Proviso.

If, however, the government should decide, within the period above mentioned, and arrange for a connection between the government railway and the Grand Trunk railway, in or near the city of Montreal, then this charter shall be considered and taken as having expired.

Proviso.

In case the government do not decide, within the nine months mentioned, to build the railway hereby authorized or to arrange for another connection with the Grand Trunk railway as aforesaid, the proclamation referred to shall be issued within nine months from the passing of this act; and the said railway company shall have two years to

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complete its railway from the date of the said proclama-  
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17. The present act shall come into force on the day of Act in force.  
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SCHEDULE A.

DEED OF SALE.

Know all men, by these presents, that I. A. B., of  
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for and in consideration of the sum of  
to me paid by "The Jacques-Cartier Union Railway Com-  
pany," which I acknowledge to have received—grant,  
bargain, sell and convey unto the Jacques-Cartier Union  
Railway Company, all that tract or parcel of land (*describe  
the land*) the same having been selected and laid out by the  
said company for the purposes of their railway, to have  
and to hold the said land and premises unto the said com-  
pany, their successors and assigns for ever.

Witness my hand and seal at \_\_\_\_\_, this day of  
one thousand eight hundred and \_\_\_\_\_  
Signed, sealed and delivered, }  
in presence of C.D. } A.B., [L.S.]

CAP. LI.

An Act to amend the Acts respecting the Lake Champlain  
and St. Lawrence Junction Railway Company, and to  
provide for the cancellation of the first issue of mortgage  
bonds of the said company.

[Assented to 24th July, 1880.]

WHEREAS the Lake Champlain and St. Lawrence Preamble.  
Junction Railway Company have, by their petition,  
represented that they have created a mortgage upon their  
railway to the extent of one million dollars, which mort-  
gage, it is necessary, in the interests of the company, should  
be cancelled, and authority granted to the company, to  
create a new first mortgage for the sum of six hundred  
thousand dollars, and have prayed that authority be grant-  
ed for the cancellation of the said mortgage and for autho-

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rity to issue and create a new loan ; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Power of company and trustees to cancel certain bonds &c.

Registration.

Deposit of cancelled bonds.

Verification of bonds with deed, by registrar.

Destruction of bonds.

Declaration to that effect.

Enregistration of copy of declaration.

Powers of company, after such cancellation &c.

**1.** It shall be lawful for the said company to execute, with the trustees named in that certain indenture or deed of mortgage, made and executed *sous seing privé*, in duplicate, at Montreal, in Canada, the twentieth day of December, eighteen hundred and seventy-seven, by the said company, in favor of the said trustees, to wit : The Honorable Thomas Kennedy Ramsay, the Honorable John J. C. Abbott and Donald Lorn Macdougall, Esquire, by which indenture or deed the said issue of one million dollars of bonds has been secured, a deed of cancellation of the said indentures or deed of mortgage, and to enregister an authentic copy of such deed of cancellation, in all the registration divisions, wherein any of the immoveable property affected by the said indenture or deed of mortgage, is situate ; and also, to deposit the one million dollars of bonds, duly cancelled by the defacement of the signatures of the officers of the said company, who have signed the same, with the registrar of the county of St. Hyacinth.

**2.** Upon the deposit of such bonds so cancelled, with the said registrar, he shall verify the same with the said indenture or deed of mortgage, as already registered in his office, securing the same, and upon establishing the identity of the said bonds with the bonds secured by the said mortgage, he shall destroy the said bonds, in the presence of a representative, to be appointed by the said company for that purpose ; and a declaration, establishing the destruction of the said bonds, shall be executed by the said registrar and by such representative, describing in a summary manner the said bonds and their destruction, and an authentic copy of such declaration shall also be registered in each of the registration divisions, wherein any immoveable property affected by such indenture or deed of mortgage, is situate.

**3.** Upon the execution and registration as aforesaid of such deed of cancellation of the said indenture or deed of mortgage, and upon the destruction of the said bonds by the said registrar, as prescribed by this act, and upon the enregistration as aforesaid of such declaration of the destruction thereof, the said issue of one million dollars of bonds shall be cancelled, and the said mortgage, securing the same, shall be discharged, to all intents and purposes, as if such issue had never been made, or such mortgage executed, and thereupon, the said company may exercise

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the powers conferred upon it by its charter and by the acts amending the same, in respect of the issue of first mortgage bonds to the extent of six hundred thousand dollars ; and such bonds shall constitute a first charge upon the said railway and its appurtenances, under the provisions of the said acts, as though the same constituted a first and only issue of bonds by the said company.

4. The registrar of the county of St. Hyacinth shall receive, verify and destroy the said bonds in the manner hereby described, and shall be entitled to a fee of ten dollars for so doing.

5. The company may issue second mortgage bonds to the extent of four hundred thousand dollars, forming a second charge upon the said railway and its appurtenances, next after the issue of the six hundred thousand dollars hereby authorized.

6. The delay granted for the completion of the line of the said company and of the works connected therewith, is hereby extended to two years from the twenty-third of December, eighteen hundred and eighty-one.

7. This act shall come into force on the day of its sanction.

### CAP. LIII.

An Act to incorporate "The Lachine and Pointe Claire Loop Line Railway Company."

[Assented to 24th July, 1880.]

**W**HEREAS Anthony Force, Hartland McDougall, James Dawes, Jackson Rae, Désiré Girouard and others have, by their petition, prayed for the incorporation of a company to construct the railway hereafter described ; whereas the construction of the said railway would be of great advantage to the inhabitants and proprietors of the locality, by placing Lachine on a line of railway communicating directly with the west and affording more communication with the city of Montreal, and whereas it is just to grant the prayer of the said petition ; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

**Persons incorporated.** 1. Anthony Force, Hartland MacDougall, James Dawes, Jackson Rae, Désiré Girouard, and all such other persons and corporations, as shall become shareholders in the company hereby incorporated, shall be and are hereby constituted a body politic and corporate, by the name of: "The Lachine and Pointe Claire Loop Line."

**Name of corporation.**

**General powers.**

2. The said company and their servants shall have full power and authority to lay out, construct, make and finish a single or double railway, with iron or steel rails, of such width and gauge, as the company may judge most advantageous from a point on the Grand Trunk Railway of Canada, in or near the parish of Pointe Claire, to a point on the line of the said Grand Trunk, in the town of Lachine, and for that purpose, may exercise all the powers and privileges granted by the Quebec Railway Act, 1869.

**Capital stock.** 3. The capital stock of the said company shall be one hundred and fifty thousand dollars, (with power to increase the same as provided by the Quebec Railway Act, 1869, and the amendments thereto), to be divided into fifteen hundred shares of one hundred dollars each, which amount shall be raised by the persons hereinbefore named and such other persons or corporations as may become shareholders in the said stock, and the money so raised shall be applied, in the first place, to the payment of all fees and disbursements incurred in the procuring and the passing of this act, and for making the surveys, plans and estimates connected with the said railway, and the rest and remainder of the said money shall be applied towards making and maintaining the said railway and other purposes of this act; provided always that, until the preliminary expenses be paid out of the capital stock of the company, it shall be lawful for the municipality of any county, city or town, interested in such railway or otherwise, to pay out of the general funds of such municipality, such preliminary expenses, which sums shall be refunded or paid back to such municipality by the said company.

**Application of moneys raised.**

**Proviso.**

**First board of directors.** 4. Anthony Force, Hartland MacDougall, Jackson Rae, James Dawes and Désiré Girouard, are hereby constituted and appointed the first board of directors of the said company; and any three thereof shall form a quorum for the transaction of business.

**Quorum.**

**Stockholders.** 5. The said directors are hereby empowered to take all necessary steps for opening the stock-books, for receiving the subscriptions of parties desirous of becoming shareholders in the company; and all persons subscribing to

the capital stock of the said company shall be considered proprietors and shareholders in the same, but shall be responsible only to the extent of their stock therein.

Subscribers, considered shareholders.

6. All manufacturing companies or other companies, carrying on business, in whole or in part, within the limits of the counties traversed by the said line of railway, whether they be incorporated by a special or general act, and municipal corporations, may subscribe or otherwise acquire, and hold any number of shares in the capital stock of the said company and dispose of them in any manner they may deem advisable.

Certain corporations may take stock.

7. When and so soon as one tenth part of the capital stock shall have been subscribed as aforesaid, and as soon as one tenth part of the shares subscribed shall have been paid, the directors, or three of them, may call a meeting of the shareholders, at any place in the city of Montreal, the principal place of business of the said company, and, at any time they may deem proper, by giving at least, fifteen days' notice, in both languages in one or more newspapers published in the city of Montreal through which the said railway is to pass; at which general meeting and at the annual general meeting in the following sections mentioned, the shareholders present, either in person or by proxy, shall elect five directors in the manner and qualified as hereinafter prescribed; which said directors shall constitute a board of directors, and shall hold office until the first Tuesday in March, in the year following their election, or until the election of their successors.

General meeting of shareholders after notice to elect directors.

Board of directors; term of office.

8. On the said first Tuesday in March next, and on the said first Tuesday in March in each year thereafter, there shall be holden a general meeting of the shareholders of the said company, at the principal office of the said company, at which meeting the shareholders shall elect nine directors for the then ensuing year, in the manner and qualified as hereinafter prescribed, and public notice of such annual general meeting shall be published in both languages, during fifteen days before the day of election, in one or more newspapers published in the said city of Montreal, and the elections of directors shall be by ballot, and the persons so elected shall form the board of directors. As regards the calling of the said meeting, the said company may take advantage of section 3, of the act 38 Victoria, chap. 40; provided, always, that the shareholders residing in foreign parts shall have been called by notice, forwarded by registered letter, sixty days before such meeting.

Subsequent annual general meetings.

Election.

Calling meetings.

Proviso: with respect to residents abroad.



**Quorum of directors.** 9. Three directors shall form a quorum for the transaction of business, and no shareholder shall be elected a director of the said railway company, unless he be the holder and owner of at least ten shares in the capital stock of the said company, and have paid up all the calls upon the said shares.

**Form of deeds of land.** 10. All deeds and conveyances of lands to the said company for the purposes of this act, in so far as circumstances will admit, may be in the form of the schedule A, to this act subjoined, or in any other form of the like effect; and for the purpose of due enregistration of the same, all registrars, in their respective counties, shall be provided, by and at the expense of the said company, with a book containing copies of the form given in the said schedule A, a copy to be printed on each page, leaving the necessary blanks for each conveyance; and upon production of the said deeds and the proof of the due execution thereof, they shall enter and register them without any memorial thereof in the said book, and shall enter a minute of such enregistration on the said deeds; and the registrars shall receive, for all fees on such enregistration, fifty cents and no more, and such enregistration shall be deemed to be valid in law, any act or provision to the contrary notwithstanding.

**Fees of registrars.**

**Power of directors to issue bonds.** 11. The directors of the said company, upon being duly authorized thereto by the holders of two-thirds of the shares of the said company, present at any annual meeting in the month of March for the election of directors, or at any special meeting called for that purpose, whereof fifteen days notice shall have been given in both languages in one or more newspapers published in the city of Montreal, or according to the act 38 Victoria, chapter 40, at which meeting the shareholders residing in foreign parts, notified of such meeting in the manner prescribed for such shareholders in section 8, hereinabove set forth, may be represented by proxy or transmit their vote by registered letter, directed to the president of the said company, which said vote shall be counted and acknowledged, as if it had been given in person, shall have power to issue their bonds, made and signed by the president and the vice-president of the said company, and countersigned by the secretary and treasurer, and under the seal of the said company, for the purpose of raising money required for the undertaking; and such bonds shall be considered to be privileged claims upon the property of the said company, and shall bear hypothec upon the said railway, without enregistration; provided

**Method of issue.**

**Their effect.**

**Proviso.**



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that the whole amount raised by such bonds shall not exceed one hundred and fifty thousand dollars.

12. The said company shall have power and authority to become a party to promissory notes and bills of exchange, for sums not less than one hundred dollars; and any promissory note endorsed by the president or the vice-president of the said company and countersigned by the secretary and treasurer, authorized by a quorum of the board of directors, shall be binding on the said company; and every such promissory note or bill of exchange so made, shall be presumed to have been duly made under the necessary authority until proof to the contrary, and it shall not be necessary, in any case, to affix the seal of the said company on such promissory note or bill of exchange; neither shall the president, nor vice-president, secretary or treasurer of the said company be held individually responsible for the same, unless such promissory note or bill of exchange have been issued without the authority of the board of directors, as hereby provided and enacted.

Power of com-  
pany to sign  
bills and notes,  
&c.

Seal not neces-  
sary.

Officers not  
personally  
responsible.

13. The directors, or the majority of them, may, from time to time, replace one or more directors deceased or refusing to act as a director, by choosing, among the shareholders, one or more persons, holders and owners of a sufficient number of shares to qualify them to act as directors as above mentioned; and the said directors so named, shall hold office until the next general meeting in March following.

Replacing de-  
ceased direc-  
tors.

14. It shall be lawful for the said company to enter into any agreement with any other railway company, for the location of the said railway, in whole or in part, or for the use of the said railway, at any time or for any period of time to such other company, or for the hiring from such other company, any railway or a part thereof or the use thereof; or for the leasing or hiring of any locomotive, tenders, or other moveable property, and generally to make any agreement or agreements with any other company, touching the use, by one or the other or by both companies, of the moveable property of either or both, in whole or in part, or touching any service to be rendered by the one company to any other and the compensation therefor; and any such agreement shall be valid and binding and shall be enforced by courts of law, according to the form and tenor thereof.

Power to make  
arrangements  
for leasing  
of road, &c.

15. The said railway shall be commenced *bonâ fide* within two years and a-half, and completed within five years from the passing of this Act, and shall be subject to the provisions

Commence-  
ment of road.

of the said Quebec Railway Act, 1869, and the Acts amending the same.

SCHEDULE A.

DEED OF SALE.

Know all men by these presents that I, A.B., of \_\_\_\_\_ in the County of \_\_\_\_\_ for and in consideration of the sum of \_\_\_\_\_ to me paid by "The Lachine and Pointe Claire Loop Line," which I acknowledge to have received,—grant, bargain, sell and convey unto the said The Lachine and Pointe Claire Loop Line, their successors and assigns, all that tract or parcel of land (*describe the land*), the same having been selected and laid out by the said company for the purposes of their railway, to have and to hold the said land and premises unto the said company, their successors and assigns for ever.

Witness my hand and seal at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_ one thousand eight hundred and \_\_\_\_\_

Signed, sealed and delivered }  
in presence of

C.D. }

[L.S.]

A.B.

CAP. LIII.

An Act to incorporate "The St. Johns and Sorel Railway Company."

[Assented to 24th July, 1880.]

Preamble.

**W**HEREAS the construction of a railway as hereinafter set forth, would be a great advantage for that portion of the Province through which it would pass, and the neighborhood thereof; and whereas a petition has been presented, praying for the passing of an Act to incorporate a company authorized to construct the same, and it is expedient to grant the prayer of such petition: Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Persons incorporated.

I. Duncan Macdonald, Edgar R. Smith, Charles Arpin, Joseph Pierre Carreau and Alexander Macdonald, together

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with such other persons and corporations as may become shareholders of the company hereby incorporated, shall be and are hereby constituted a body politic and corporate, Name of corporation. under the name of "The St. Johns and Sorel Railway Company," and the words "the company" wherever used in this Act, shall mean the St. Johns and Sorel Railway Company hereby incorporated.

2. The company shall have full power and authority to General locate, construct, and complete and work a railway from powers. a point in the town of St. Johns, to a point opposite the town of Sorel, along the western bank of the Richelieu river, to cross any other line of railway which it may meet, and to build any bridge required over any water-course or river.

3. The company, moreover, shall have power to acquire Power to ac- steam or other ferry boats to cross the Richelieu river, and quire steamers to construct wharves, workshops and machine shops at such points on its banks as the company may deem advisable.

4. This company may acquire the land necessary for the Lands &c., fo- construction of its road, stations, and other dependencies, certain purpo- and all rolling stock necessary and useful for the working oes. of its road. It shall, moreover, have the right to acquire lands for the erection of freight sheds, store houses and all other buildings required for its use, and to sell and convey the same in whole or in part.

5. The persons named in the first section of this act with Permanent di- power to add to their number, shall and are hereby consti- rectors. tuted the provisional directors of the company, and four of them shall be a quorum; they shall remain in office until the first election of directors which shall be held under this act; and such provisional directors shall have power Their powers forthwith, to open stock-books and obtain subscriptions to and duties. the capital stock of the undertaking; and so soon as they shall have obtained sufficient subscriptions to the capital stock, as hereinafter provided, they shall call a meeting of the shareholders of the company for the election of directors.

6. The capital stock of the company shall be one million Capital stock. dollars, and it shall be divided into shares of one hundred dollars each, but it may be increased, from time to time, by a vote of the majority in amount of the shareholders, present in person or represented by proxy, at any meeting, specially called for that purpose, to an amount not exceeding two million dollars.

Power to receive aid.

7. It shall be lawful for the company to receive from private individuals or municipal or other corporations, for the purpose of aiding the construction of the said railway, any vacant lots or other real estate or moveable property, or any sums of money, as a gift or in the shape of a bonus or in payment of shares, and legally to dispose of the same, and to alienate such lands and other moveable and immoveable property for the purposes of the company.

General meeting to elect directors.

8. So soon as an amount of fifty thousand dollars of the capital stock of the company shall have been subscribed, and ten per cent thereof paid up, the provisional directors shall call a general meeting of the subscribers to the capital stock, in the town of St. Johns, for the purpose of electing the directors of the company, whose number shall not exceed seven; notice of such meeting shall be published during four consecutive weeks, as well in the Quebec Official Gazette, as in all other papers indicated by the provisional directors.

Notice to be given.

Election of directors.

9. At such general meeting, the subscribers assembled, who shall have paid up ten per cent of their subscriptions, shall personally or through their proxies, elect the directors of the company, five of whom shall form a quorum; and they may pass such by-laws and regulations as they may deem necessary, provided they be not contrary to law.

Quorum.

Subsequent annual meetings.

10. Every annual or other general meeting thereafter shall be convened at the time and place and in the manner prescribed by the said by-laws and regulations.

Persons eligible as directors.

11. No person shall be chosen or appointed director unless he hold, in his own right, at least fifty shares in the capital stock of the said company, and have paid up all calls on such shares.

Power to issue bonds.

12. The directors of the company are hereby authorized to issue bonds, bearing the seal of the company and signed by the president or other presiding officer and countersigned by the secretary; and such bonds may be made payable in such manner, at such places in Canada or elsewhere, and shall bear such rate of interest as the directors may deem advisable; and the directors shall have power to issue and sell or pledge all or any of such bonds, at the prices and on the terms and conditions as they may deem fit, for the purpose of raising the amount necessary for the carrying out of the undertaking; provided the amount of such bonds so issued, does not exceed eight thousand dollars per mile,

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## St. Johns and Sorel Railway.

Cap. 53.

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in proportion to the length of road constructed, or the construction whereof is resolved upon; provided also that no such bonds shall be issued until at least fifty thousand dollars of the capital stock have been subscribed and ten per cent thereon paid up.

13. The bonds already authorized to be issued, shall, Effect of such bonds. without registration or formal transfer, be received and considered as a first claim and a privileged debt against the company, its undertaking, tolls and revenues, and the moveables and immoveables which it now possesses or may hereafter acquire; and every holder of such bonds shall be deemed a hypothecary creditor, as to such security, *pro rata* with all other bond-holders.

14. All bonds, debentures, hypothecs and other securities hereby authorized, and their coupons and certificates of interest due, may respectively be made payable to bearer and in such case they shall be transferable by simple delivery, and the holder may sue for the recovery thereof in his own name, until they be registered; and when they are registered, they shall be transferable by a deed of transfer, in the same manner as in the case of transfers of shares, but they shall again become transferable by simple delivery, upon the registration of a transfer to bearer, and the company shall be bound to execute such registration on the application of the then registered holder. How bonds to be made, how payable.

15. The company shall have power and authority to become parties to promissory notes and bills of exchange, and any such promissory note or bill of exchange made, accepted or endorsed, by the president or vice-president of the company and countersigned by the secretary, under the authority of a majority of a quorum of the Directors, shall be binding on the company; and every such promissory note or bill of exchange, so made, shall be presumed to have been duly made with the proper authority, until the contrary be shown; and in no case shall it be necessary to have the seal of the company affixed to any promissory note or bill of exchange; nor shall the president or vice-president or the secretary and treasurer of the company be individually responsible for the same, unless the said promissory note or bill of exchange has been issued without the sanction and authority of the board of directors, as herein provided and enacted; Provided however, that nothing in this section shall be construed to authorize the company to issue notes or bills of exchange payable to bearer, or intended to be circulated as money, or as the notes or bills of a bank. Company may become parties to promissory notes, &c. Seal not necessary. Officers not personally responsible. Provide.

Calls.

16. The directors may, at any time, call upon the shareholders for such instalments upon each share, which they or any of them may hold in the capital stock of the said company, and in such proportion as they may see fit, except that no such instalment shall exceed ten per cent, on the subscribed capital, and that one month's notice of each call shall be sent by mail to each shareholder.

Arrangements  
for passage of  
cars, &c.

17. The company shall have power to make arrangements for the passage of its cars, with any line of railway, situate along the line, the construction whereof is hereby authorized, or which shall cross or join the same, upon such conditions as may be approved by the Directors.

Telegraph  
lines.

18. The company shall have power to establish along the line of its road, telegraph lines, which it shall work for its own benefit, and it shall have the right to make any agreement approved by the directors, with any telegraph company.

Bridge over  
Richelieu  
river.

19. Nevertheless, if the company wishes to alter the line hereinabove indicated, it shall have the right to build a bridge over the Richelieu River, at any spot below the Parish of Belœil, and thence to follow the eastern bank of the Richelieu River, to within the limits of the town of Sorel.

Form of deeds  
of land.

20. All deeds and conveyances of lands to the said company, for the purposes of this act, in so far as circumstances will admit, may be in the form of the schedule A, to this act subjoined, or in any other form to the like effect.

Completion of  
railway.

21. The railway shall be completed within five years from the sanction of this act.

## SCHEDULE A.

### DEED OF SALE.

Know all men, by these presents, that I, A. B., of  
in the county of \_\_\_\_\_ for and in consideration of  
the sum of \_\_\_\_\_ to me paid by "The St. Johns and  
Sorel Railway Company," which I acknowledge to have  
received, grant, bargain, sell and convey unto the said the  
St. Johns and Sorel Railway Company, their successors and  
assigns, all that tract or parcel of land, (*describe the land*)  
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company for the purposes of their railway, to have and to hold the said land and premises unto the said company, their successors and assigns for ever.

Witness my hand and seal, at this day of one thousand eight hundred and

Signed, sealed and delivered } [L. S.]  
in presence of C. D. } A. B.

CAP. II.

An Act respecting the Quebec, Montreal, Ottawa and Occidental Railway and to ratify certain arrangements made in connection therewith.

[Assented to 30th June, 1881.]

WHEREAS, by the Act of this Province, 89 Victoria, *Proamble*, chapter 2, the Government of Quebec was authorized to build and did build the Quebec, Montreal, Ottawa and Occidental Railway; that the construction of the said railway was commenced, in virtue of the said Act, under the control of three Commissioners and continued under the control of the Commissioner of Agriculture and Public Works, in virtue of the Act 41-42 Victoria, chapter 3;

Whereas by the said Act 89 Victoria, chapter 2, the line of the said railway should have been as follows: "Commencing at the port of Quebec, and extending from deep water in the said port, *via* Montreal, to such point in the county of Pontiac as may be most suitable for connecting hereafter the said railway with the subsidized portion of the Canada Central railway;"

And whereas, in consequence of a change in the line, serious difficulties have arisen respecting the financial arrangements relating to the said railway, made between the Government and the city of Montreal, and sanctioned by the said Legislature,—the said city pretending that the conditions under which it subscribed the sum of one million dollars for the construction of the western section of the said railway, had been by such change, seriously affected and changed;

Whereas, for the purpose of settling these difficulties, new arrangements have been entered into between the Commissioner of Agriculture and Public Works, acting as such, and the Corporation of the city of Montreal, in conformity with resolutions passed by the Council of the



said city; and whereas it is in the interest of the Province that such resolutions and arrangements entered into between the Government and the city of Montreal, should be ratified and confirmed;

Whereas, under the provisions of the Act 43-44 Victoria, chapter 47, the Government of Quebec has the right, by means of a proclamation to that effect, to declare that it intends to carry on the work which the company, organized by the said Act, had prayed the Legislature to be authorized to do, and that, in consequence of the powers granted to it by the provisions of the said Act, the Government of Quebec did, on the fourth day of April last, issue a proclamation in accordance with the said Act;

Whereas it is expedient that the Government should construct a branch line connecting the Quebec, Montreal, Ottawa and Occidental Railway with the Grand Trunk Railway of Canada, starting from a certain point between Sault-au-Récollet and Mile End stations, upon the line of the Quebec, Montreal, Ottawa and Occidental Railway and joining the Grand Trunk Railway of Canada, at a point on its line, near Dorval station, in the parish of Lachine;

Whereas the Government of the Province of Quebec was obliged, in order to procure the ballast absolutely necessary to complete the eastern section of the Quebec, Montreal, Ottawa and Occidental Railway, to construct a railway between the town of Joliette and a place in the parish of Ste. Elizabeth, where there is a gravel pit, now being worked on account of the Quebec, Montreal, Ottawa and Occidental Railway; and whereas, in order to reach such gravel pit, it is necessary that the cars of the said railway should traverse the whole line of the Joliette railway from Lanoraie Junction to the town of Joliette;

Whereas it is expedient to acquire the property in the Joliette railway company, as well as the property in the branch line connecting the town of Berthier with Berthier station, on the line of the Quebec, Montreal, Ottawa and Occidental railway, so as to establish a regular service and uniform tariff between these branches and the main line;

Whereas it is expedient to have these branches and portions of road declared to be part of the main line of the Quebec, Montreal, Ottawa and Occidental railway;

Whereas it is advisable to assure to the Quebec, Montreal, Ottawa and Occidental railway as much local traffic as possible;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Resolutions,  
set forth in  
Schedule A,  
ratified, &c.

1. The resolutions set forth in Schedule A annexed to this Act, passed by the Council of the city of Montreal on the 15th November, 1880, respecting the Quebec, Montreal,

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Ottawa and Occidental railway, are hereby ratified and confirmed, declared legal, final, complete and binding, to all lawful purposes, any former by-law, order or resolution of the Council of the said city, and all statutes or laws to the contrary notwithstanding.

2. The report set forth in Schedule B annexed to this Act, of a Committee of the Honorable the Executive Council, dated the 26th November, 1880, and approved by the Lieutenant-Governor on the 30th November, 1880, is also ratified and confirmed, declared valid, legal and binding, for all lawful purposes, any statute or law to the contrary notwithstanding.

3. The resolution set forth in Schedule C annexed to this Act, adopted by the Council of the city of Montreal on the 19th January, 1881, respecting the extension of the Quebec, Montreal, Ottawa and Occidental railway to the Quebec Gate Barracks, in Montreal, is ratified and confirmed, declared valid, legal and binding, for all lawful purposes, any statute or law to the contrary notwithstanding.

4. The changes made during the year 1878, under the orders of the Commissioner of Agriculture and Public Works, acting as such, respecting the line of the Quebec, Montreal and Occidental railway, *vid* St. Martin, between St. Vincent de Paul and St. Martin's Junction, in the county of Laval, are ratified, confirmed and legalized for all lawful purposes.

5. That part of the Quebec, Montreal, Ottawa and Occidental railway, between St. Vincent de Paul and the said St. Martin's Junction shall, for the future, be considered as a permanent line, and as forming an integral portion of the said railway, in the same manner as if such line had been authorized by the Act of this Province, 39 Vict., chap. 2.

6. The terminus of the said railway is hereby established in Montreal, at the place called the "Quebec Gate Barracks,"

7. Section 1 of the Act of this Province, 39 Victoria, chapter 2, is repealed and replaced by the following, which shall be considered as having always been section 1 of the said Act:

"1. There shall be a railway constructed, commencing at the port of Quebec and extending from deep water at the said port, *vid* St. Martin's Junction, in the county of Laval,

to Montreal, and from the said St. Martin's Junction to such point in the county of Pontiac, as may be most suitable for connecting hereafter the said railway with the subsidized portion of the Canada Central railway and with any other railway, as the Lieutenant-Governor in Council may hereafter decide, including therein a branch line from the city of Three Rivers to the Grand Piles, and another from Ste. Thérèse to St. Jérôme; and such railway shall be styled and known as the "Quebec, Montreal, Ottawa and Occidental Railway."

Municipal subscriptions not affected.

8. The location of the said railway as it now exists and made permanent by this Act shall not, in any manner, affect the municipal subscriptions which shall be considered as having been made for the railway, as set forth in the preceding section.

Consolidated Railway Act, 1880, applies.

9. The provisions of the Consolidated Railway Act, 1880, and all other provisions of law relating to the Quebec, Montreal, Ottawa and Occidental Railway, respecting any work and undertaking therein mentioned, shall apply to this act, in so far as they are consistent with it and of a nature to forward the construction and final completion of the said Quebec, Montreal, Ottawa and Occidental Railway.

Branch to connect Q. M. O. and O., with Grand Trunk authorized.

10. It shall be lawful for the lieutenant governor in Council, to order the construction of a branch line to connect the Quebec, Montreal, Ottawa and Occidental Railway with the Grand Trunk Railway of Canada, the said branch to start from any point between the Sault au Recollet and Mile End stations, and connecting the said line with the Grand Trunk Railway of Canada, at a point on the line of the latter near Dorval station; provided that the cost of the construction of the said line, shall not exceed the sum of one hundred thousand dollars.

Proviso.

Branch to form part of main line.

11. The said branch shall form part of the main line of the said Quebec, Montreal, Ottawa and Occidental railway, as if such branch had been authorized by the act 39 Victoria, chapter 2.

Joliette railway may be acquired.

12. It shall be lawful for the lieutenant governor in Council to authorize the commissioner of railways to acquire, from the Joliette railway company, the property in its road from the river Saint Lawrence, at Lanoraie, as far as the town of Joliette for a sum not to exceed sixty-five thousand seven hundred and fifty dollars.

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13. It shall be lawful for the lieutenant governor in Council to authorize the commissioner of railways to acquire the Berthier branch, extending from the town of Berthier as far as Berthier station on the line of the Quebec, Montreal, Ottawa and Occidental railway, including the right of way, the wharves, station and the switch line to the factory of the *Union Sucrière*, the whole for a sum not to exceed twenty nine thousand dollars.

Berthier branch may be acquired.

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14. The Joliette Railway Company is authorized to transfer to the government of this province, all its property both movable and immovable and all rights held by it under its charter.

Joliette railway authorized to transfer its property to government.

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15. The Berthier Branch, as well as the line of the Joliette Company and the continuation of the railway now built, from the town of Joliette, to a point in the parish of Saint Elizabeth, where there is a gravel pit, is declared to be a portion of the Quebec, Montreal, Ottawa and Occidental Railway, as if the provisions of the Act 39 Victoria, Chapter 2, applied to the construction of these lines.

Certain branches declared part of main line.

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16. It shall be lawful for the lieutenant governor in council to grant letters-patent authorizing a company to build a branch line, starting from a point on the line of the Quebec, Montreal, Ottawa and Occidental Railway, at or near the parish of St. Thérèse and extending to another point in the parish of St. Joseph *viâ* the village of Saint Eustache, the said branch not to exceed ten miles in length.

Letters-patent may be issued to build branch to near St. Thérèse.

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17. It shall be lawful for the lieutenant governor in council to grant letters-patent to permit any company to construct a branch line, starting from a point in the parish of St. Jerusalem d'Argenteuil (Lachute) and extending to another point in the parish of St. André, in the county of Argenteuil.

Letters-patent may be issued to build branch to St. André.

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18. The companies formed by letters-patent in virtue of the two preceding sections, shall be governed by and have all the powers conferred by the consolidated railway act of Quebec, 1880, upon companies regularly incorporated.

How such companies to be governed.

19. The lieutenant governor in council, in lieu of constructing that portion of the Quebec, Montreal, Ottawa and Occidental Railway, between the village of Aylmer and that point in the county of Pontiac most suitable to connect the same with the subsidized portion of the Canada Central Railway, as provided by the act 39 Victoria, chap. 2, and its amendments, may grant a bonus of six thousand

Bonus may be granted to Pontiac Pacific Junction Railway in lieu of building certain line.

Bonus how  
payable.

dollars per mile, for a length not exceeding eighty-five miles, to the Pontiac Pacific Junction Railway Company, for each mile which the said Railway Company shall construct between the said village of Aylmer or the City of Hull and the town of Pembroke: such bonus shall be payable as each ten miles of the said road is put in good running order to the satisfaction of the lieutenant governor in council.

Schedules part  
of Act.

Act in force. 20. The schedules annexed to the present act, shall be considered as forming part thereof.

21. This act shall come into force on the day of its sanction.

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#### SCHEDULE A.

Extract from minutes of council, adjourned monthly meeting, Monday, fifteenth November, one thousand eight hundred and eighty.

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PRESENT: His worship the acting mayor, alderman Gilman.

ALDERMEN: Laurent, Grenier, Hood, Donovan, Holland, Généreux, Robert, Allard, Greene, McShane, Hagar, Jeannotte, Gauthier, Lavigne, Watson, Mooney, Dubuc, Fairbairn, Wilson, McCord, Proctor, Kennedy, Thibault.

The order of the day being read, to consider a report from the special committee on the proposition of the government, relative to the terminus of the Quebec, Montreal, Ottawa and Occidental Railway, the following reports were brought up and read.

#### TO THE CITY OF MONTREAL.

The special committee on the railway respectfully report:

On the accompanying letter of the Hon. Mr. Chaplean, Commissioner of Agriculture and Public Works, of date the 5th November, 1880, submitting the conditions upon which the government will settle the question of the terminus of the Quebec, Montreal, Ottawa and Occidental Railway in this city;

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That, after recapitulating the proceedings and arrangements already taken and arrived at, as regards this long pending question, the Hon. Mr. Chapleau submits the following conditions as the basis of the arrangement to intervene between the government and the coorporation, viz:

- " 1. The government will extend at their cost, within one year from this day, the line of the Quebec, Montreal, Ottawa and Occidental Railway, from its terminus at Hochelaga to the property known as "*The Quebec Gate Barracks*" following the line indicated on the plan transmitted to the government by your corporation, that is to say: running along the river St. Lawrence from Hochelaga as far as the Barracks, or, if the cost of the expropriation be not higher, following a direct line from the Hochelaga station to the vacant lot in rear of the Montreal common gaol, and thence crossing St. Mary street and running along the river by the line above indicated;
- " The government will build a suitable freight and passenger station and other buildings in connection with a station on the barracks property;
- " 3. They will build, besides, on the grounds belonging to them in rear of the Montreal gaol, the engine-houses, workshops and other necessary erections for the western section of the Quebec, Montreal, Ottawa and Occidental; an accomodation station shall also be established in the immediate vicinity of the gaol, the corporation giving, for the construction of that part of the railway, the right of crossing St. Mary street, in the most convenient manner for the circulation of carriages and foot passengers in the said street;
- " 4. The corporation on their part, will undertake to carry out the expropriation of the necessary lots of ground for the construction of the said railway, less however the lots already belonging to the government, and, for such expropriation, the government bind themselves to pay a sum not exceeding \$132,000, if however that sum be required for the complete payment of all the lots so expropriated;
- " 5. The government bind themselves to ask, for the corporation of the city of Montreal, at the next session of the Legislature, the necessary powers for expropriation, if required;
- " 6. The corporation shall cede gratis to the government the lots of ground above mentioned, that is to say:
  - " (1) The property known as the "*Quebec Gate Barracks*" 252,404 feet in superficies; .
  - " (2) The portions of Dalhousie square and St. Paul and



" Lacroix streets, &c, &c, specified on plan submitted to the government, comprising 58,596 square feet ;

" (3) The land and buildings of the military store, comprising 12,256 square feet ;

" 7. The corporation shall give, as a contribution towards the construction of the bridge at Hull, a sum of \$50,000, so soon as that bridge shall be open to traffic and the arrangements now proposed shall be accepted by the corporation and the government ;

" 8. The corporation, moreover, shall waive all claims, rights and interests that they may pretend to have in relation to the sum of \$346,644, already paid to the Government for the construction of the said railway, the said sum, as well as the new grants of lots of ground and money being considered as a final settlement ; "

That, in the opinion of your Committee, the offer contained in the fore part of condition *number one*, to bring the said railway from Hochelaga to the Quebec Gate Barracks property, by a line running along the River St. Lawrence, commends itself to the favorable consideration of the council and they respectfully suggest that it be adopted, subject to the conditions *numbers two, three, four, five, six, seven and eight* in the said letter:—but with the understanding that the number of superficial feet of ground to be ceded by the city, as specified in condition *number six*, shall be subject to verification by the city's engineer, according to plans and titles, and that the sum of \$50,000 to be paid by the corporation towards the construction of the bridge at Hull, shall be payable only after the cars shall be ready to run into the proposed station at the Quebec Gate Barracks ;

In case the government should determine to adopt and carry out the line referred to in the latter part of condition *number one*, that is to say, following a direct line from the Hochelaga station to the vacant lot in rear of the Montreal gaol, and thence crossing St. Mary street, and running along the river as far as the Quebec Gate Barracks, your committee are not of opinion that the corporation should assist in the carrying out of such line further than by the gratuitous cession of the Quebec Gate Barracks property and the portions of Dalhousie square and St. Paul and Lacroix streets aforesaid, and the contribution of \$50,000 towards the construction of the bridge at Hull as aforesaid ; and, in consequence, your committee deem it their duty to direct the attention of the government to the fact that, in adopting this line, the railway will have to cross eight or nine streets, thus causing much danger to life and property, to say nothing of the great inconvenience and inter-



ruptions that will be thereby occasioned to the public in that important section of the city.

The whole nevertheless respectfully submitted,

(Signed,)

H. A. NEILSON,  
J. GRENIER,  
M. LAURENT,  
THOS. D. DCOD,  
E. K. GREENE,  
J. McSHANE, Jr.

COMMITTEE ROOM, CITY HALL,  
MONTREAL, 9th November, 1880.

The Finance Committee respectfully report :—

That, as directed by the Council, they have considered the accompanying report of the special committee on railway, concerning the location of the terminus and workshops of the Quebec, Montreal, Ottawa and Occidental Railway, and that they concur in the recommendation therein made.

The whole, nevertheless, respectfully submitted.

(Signed,)

H. A. NEILSON,  
M. LAURENT,  
E. K. GREENE,  
J. GRENIER,  
J. H. MOONEY,  
E. A. GÉNÈREUX,  
J. McSHANE, JR.

COMMITTEE ROOM, CITY HALL,  
MONTREAL, 9th November, 1880.

Alderman Grenier moved, seconded by Alderman Hood,  
That the said reports be adopted.

Alderman Jeannotte moved, in amendment, seconded by  
Alderman Gauthier ;

That the said report of the special committee on railway be amended, by striking out all the words after "that in the opinion of your committee," and substituting in their stead, the following: "that this council is of opinion the line "last mentioned in the letter of the Honorable Premier,

"i.e., starting from Hochelaga, in a straight line to the vacant lot in rear of the Common gaol of Montreal, thence across St. Mary street, and running along the river side as far as the Quebec Gate Barracks, together with the engine-houses, the work-shops in rear of the gaol, and a station in St. Catherine street, is highly advantageous for the Quebec suburbs in particular, and the whole city in general; That this council, do, therefore, accept this last proposition, which would only be carrying out, in part, the promises and agreements entered into by the corporation as well as by the government, and be an act of justice to that portion of the city, with the understanding, however, that the number of superficial feet of ground to be ceded by the corporation, as specified in the Honorable Mr. Chapleau's letter, shall be subject to verification by the city's engineer, according to plans and titles, and that the sum of \$50,000, to be paid by the corporation towards the construction of the bridge at Hull, shall be payable only after the cars shall be ready to run into the proposed station at Quebec gate Barracks;

"This council deems it its duty to direct the attention of the Government to the fact that, in adopting the line on the river side, from Hochelaga to the Gaol, (the wharf between these points being only 80 feet wide) much damage will be caused to trade and navigation, and life and property endangered, to say nothing of the great inconvenience and greater expenditure that will be thereby occasioned to trade and shipping, as well as to the public in that important section of the city."

YEAS :—Gauthier, Jeannotte,—2.

NAYS :—Thibault, Kennedy, Proctor, McCord, Thos. Wilson, Fairbairn, Dubuc, Mooney, Watson, Lavigne, Hagar, McShane, Greene, Allard, Robert, Généreux, Holland, Donovan, Hood, Grenier and Laurent.—31.

So it was lost.

Alderman Jeannotte then moved in amendment seconded by Alderman Gauthier.

That a space of 50 feet in width, along the line of Notre-Dame street, in front of the proposed station, be reserved for the purpose of widening said street.

The Council divided thereon :

YEAS :—Gauthier, Jeannotte.—2.

NAYS :—Thibault, Kennedy, Proctor, McCord, Thos. Wilson, Fairbairn, Dubut, Mooney, Watson, Lavigne,

Hagar, McShane, Green, Allard, Robert, G n reux, Holland, Donovan, Hood, Grenier and Laurent.—21.

So it was lost.

The question then being put on the main motion.  
The Council divided thereon.

YEAS :—Kennedy, Proctor, McCord, Thos. Wilson, Fairbairn, Dubuc, Mooney, Watson, Lavigne, Hagar, McShane, Green, Allard, Robert, G n reux, Holland, Donovan, Hood, Grenier and Laurent.—20.

NAYS :—Thibault, Gauthier and Jeannotte.—3.

So it was carried in the affirmative and resolved accordingly.

(Certified,)

(Signed,)

CHS. GLACKMEYER,  
City Clerk.

Letter of the Honorable Mr. Chapleau, referred to in the foregoing report of the special committee on Railway.

DEPARTMENT OF AGRICULTURE AND PUBLIC WORKS.

Quebec, 5th November, 1880.

To His Honor the Mayor, the Aldermen  
and citizens of the city of Montreal.

Gentlemen,

Since the last interview which the Government of Quebec had the honor of having with the members of the committee of your council delegated to see to the settling of the question of a terminus of the Quebec, Montreal, Ottawa and Occidental Railway in Montreal, I have submitted to the Executive Council, the proposals which I had made to your Committee.

I now have the honor to represent :

That it is of the greatest importance both for the city of Montreal and for the Quebec Government that the question, so long discussed and too frequently postponed, of a terminus of the Quebec, Montreal, Ottawa and Occidental Railway in the city of Montreal, should be finally settled ;  
That the conditions of the by-law originally passed by

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the council have already been considerably modified by new agreements entered into by the Quebec Government and the corporation of Montreal, to wit by the agreements and the legislation of 1875 and by the compromise made by the corporation of Montreal in February, 1879 ;

That as early as the 25th of May, 1877, the Quebec Government had notified your corporation that it was prepared to place the terminus of the said railway and to build a passenger and freight station as well as workshops for the western section of the road in the eastern portion of the city of Montreal, provided that the corporation would fulfil its obligations ;

That this offer of the Government was unfortunately refused by a resolution of the council of your corporation, bearing date the 30th of May, 1877, which resolution was however set aside by another one of your council, bearing date the 21st of February, 1879 ;

That since that date, one of the chief conditions of the agreements and of the legislation of 1875, to wit the point of junction of the two lines of railway running from Quebec and Ottawa respectively to Montreal which was, under the terms of the agreements, to be within the limits of the city, has been irrevocably altered and changed by the accomplished fact of the building of the road as far as St. Martin ;

That on the 15th of March, 1880, at an interview which took place at Montreal between the Government and the delegates of the corporation, the latter caused an offer to be made to the Government to settle, in a definite manner, the question of a site for the said terminus of the railway as also all questions connected with the reciprocal obligations of the government and corporation ;

That at the said interview the corporation proposed to the Government that, in the event of the latter building a terminus at the place known as the "Quebec Gate Barracks," the corporation would undertake not to make any claim against the Government for the \$846,644, already paid by it for the construction of the said road and to raise no objections on account of the non-fulfilment of the obligations of the Government towards the corporation, as to the construction of the said road and moreover to give the Government : 1. A sum of \$50,000 in money, such sum to be considered as the contribution of the city of Montreal towards the building of the Hull Bridge ; 2. The property of the Barracks, properly so-called, namely : 252,404 square feet ; 3. a certain extent of ground, now forming part of Dalhousie square, and St. Paul, Lacroix streets, &c. &c., namely : 53,596 square feet ; 4. The property on which are built all the military stores attached

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to the said barracks' property, the whole covering an extent of 12,256 square feet, according to the plan then transmitted by the corporation to this Department ;

This proposal of the corporation was to take the place of a final settlement, between the government and itself, and to replace all provisions contained, either in the by-laws or in the agreements between the corporation and the government, notwithstanding any legislative enactments to the contrary ;

That, subsequently, by a letter which I addressed to your corporation in the course of last April, I insisted, before communicating the intentions of the government as to these new proposals, that, in the event of an understanding being arrived at, the corporation would itself undertake to make the expropriations which might be necessary, for the construction of the line, from Hochelaga to the "Barracks" and the building of a station at the latter place, in accordance with the plans then submitted, the government promising, if the proposed arrangement was accepted, to pay for the said expropriations, an amount not exceeding \$120,000 and 10 o/o additional on the latter amount, to complete, if necessary, the payment of such expropriations, the corporation itself to pay all amounts beyond the \$120,000 and the 10 o/o additional to be paid for such expropriations ;

That, at a meeting held on the 30th April last, the select committee charged by your corporation with the Quebec, Montreal, Ottawa and Occidental Railway matter, recommended the accepting of the proposal contained in my letter, by asking that the corporation be clothed with the necessary authority to proceed with such expropriations, in the event of the powers already conferred upon the city by its charter, being insufficient, and, at a subsequent meeting of the council, the report and recommendation of the said committee were adopted ;

That, by reason of the premises, the government came to the following conclusions which it submits to your Honorable Council, asking for its concurrence :

1. The government will extend at their cost, within one year from this date, the line of the Quebec, Montreal, Ottawa and Occidental Railway, from its terminus at Hochelaga to the property known as "*The Quebec Gate Barracks*" following the line indicated on the plan transmitted to the government by your corporation, that is to say : running along the river St. Lawrence from Hochelaga as far as the *Barracks*, or, if the cost of the expropriation be not higher, following a direct line from the Hochelaga station to the vacant lot in rear of the Montreal common

gaol, and thence crossing St. Mary street and running along the river by the line above indicated ;

2. The government will build a suitable freight and passenger station and other buildings, in connection with a terminus on the barracks property ;

3. They will build, besides, on the grounds belonging to them, in rear of the Montreal gaol, the engine-houses, workshops and other necessary erections for the western section of the Quebec, Montreal, Ottawa and Occidental Railway ; an accommodation station shall also be established in the immediate vicinity of the gaol ; the corporation undertaking to give, for the construction of that part of the railway, the right of crossing St. Mary street, in the most convenient manner for the circulation of carriages and foot passengers in the said street ;

4. The corporation, on their part, shall undertake to carry out the expropriation of the necessary lots of ground for the construction of the said railway, less, however, the lots already belonging to the government, and for such expropriation, the government bind themselves to pay a sum not exceeding \$182,000, if, however, that sum be required for the full payment of all the lots so expropriated ;

5. The government bind themselves to ask, for the corporation, of the city of Montreal, at the next session of the Legislature, the necessary powers for expropriation, if required ;

6. This corporation shall cede *gratis* to the government the lots of ground above mentioned, that is to say :

(1). The property known as the Quebec Gate Barracks, 252,404 feet in superficies ;

(2). The portions of Dalhousie square and St. Paul and Lacroix streets, etc., etc., specified on the plan submitted to the government, comprising 53,596 square feet ;

(3). The land and buildings of the military stores, comprising 12, 256 square feet ;

7. The corporation shall give, as a contribution towards the construction of the Hull bridge, the sum of \$50,000, so soon as the said bridge shall be open to traffic, and the arrangements now proposed shall be accepted by the corporation and the government ;

8. The corporation, in fact, shall waive all claims, rights and interests that they may pretend to have, in relation to the sum of \$346,664, already paid to the government for the construction of the said railway, the said sum, as well



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*Q., M., O. & O. Railway.*

Cap. 2.

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as the new grants of lots of ground and money, being considered as a final and conclusive settlement.

I have the honor to be, gentlemen,  
Your obedient servant,

J. A. CHAPLEAU,

Premier and Commissioner of  
Agriculture and Public Works.

Quebec, 5th November, 1880.

#### SCHEDULE B.

Copy of the Report of a Committee of the Honorable the Executive Council, bearing date the 25th November, 1880, approved by the Lieutenant-Governor on the 30th November, 1880.

Relating to the terminus of the Quebec, Montreal, Ottawa and Occidental Railway, in the City of Montreal.

The honorable the commissioner of agriculture and public works, in a report of the twenty-sixth day of November instant, (1880), states that, in the beginning of the present month, the government of Quebec made certain formal propositions to the corporation of the city of Montreal, with a view of arriving at a definite understanding on both sides, with regard to the locality to be chosen for the terminus of the Quebec, Montreal, Ottawa and Occidental Railway, and the construction of the station and workshops in the city of Montreal.

The corporation of the city of Montreal having taken the proposition of the government into consideration, at the sitting of the city council, on the fifteenth of November instant, adopted an order of the day, accepting the propositions of the government, which are stated at length in the minutes of that sitting of the city council (a copy of which is annexed to the report of the honorable the commissioner) and which are summed up as follows :

" With a view to concluding this matter, the government of Quebec informs the council that should it accept the propositions made by the government, the alteration which the council seem to want, with respect to verifying the extent of ground to be given by the corporation, the date of payment of the fifty thousand dollars for the Hull



Bridge and the scheme of a road from Hochelaga straight to the gaol grounds would be accepted by the government, that is to say :

1. The number of feet in superficies of the ground to be given by the government to the corporation and mentioned in the written proposition of the government, shall be subject to verification by the city engineer, according to the plans and titles ;

2. The sum of fifty thousand dollars (\$50,000), contributed towards the Hull bridge, shall be paid by the corporation to the Government, so soon as trains shall run in to the Quebec Gate Barracks station ;

3. If the government adopts as the track, a straight line from Hochelaga to the grounds behind the gaol and from there along the river to the grounds at the Barracks, the contribution of the corporation towards the road, and the terminus shall be limited to the gratuitous grant of the ground at the Barracks and the portions of Dalhousie square St. Paul and Lacroix streets, agreed upon, and in the gift of fifty thousand dollars (\$50,000), towards the Hull bridge, as above stated.

So soon as your council shall signify its acceptance of these propositions, with the above modifications, orders will be given for the immediate execution thereof.

Thus, the city council of Montreal were favorable to and adopted, at its sitting of the fifteenth of November instant, the propositions of the Government, offering a final settlement of the question of the terminus, etc., in Montreal, subject to the modification spoken of in the minutes of the said sitting.

Considering that it is expedient to carry out the clauses of the agreement, as accepted by both parties, which constitutes a definite settlement of this important question of the terminus of this railway in Montreal, upon conditions satisfactory to everyone, the honorable commissioner recommends that he be authorized to record by deed, the acceptance to the city council of Montreal, as stated in his letter of the said corporation, of the fifth November instant, and in the minutes of the said sitting of the fifteenth November instant, with the modification therein mentioned, and to notify the corporation of the city of Montreal, that the Government accepts the terms of the definite settlement of the question of the terminus, etc., in Montreal, as stated in the said minutes.

The honorable commissioner further recommends that he be authorized to carry out the said agreement, to order the necessary works for this object, and to sign all such deeds and documents as may be necessary to carry out the said agreement.

The Committee concurs in the above report, and submits it to the Lieutenant-Governor for his approval.

(Certified), FELIX FORTTIER,

*Clerk of the Executive Council.*

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SCHEDULE C.

EXTRACT

From the Minutes of a Meeting of the City Council, held on the 19th January, 1881.

Submitted and read a letter from the Honorable Mr. Chapleau, dated 15th January, 1881, transmitting a copy of the Order in Council, concerning the extension of the Quebec, Montreal, Ottawa and Occidental Railway to the Quebec Gate Barracks.

On motion of Alderman Laurent, seconded by Alderman Nelson, it was

*Resolved*,—That, in view of carrying out, without further delay, the proposition contained in the letter of date 17th instant, of the Honorable Premier of the Province of Quebec, to his Worship the Mayor, suggesting that this council agree to proceed, forthwith, to the expropriation of the properties required for the continuation of the Quebec, Montreal, Ottawa and Occidental Railway, on the river side, to the Quebec gate barracks, a special committee be appointed with full power and authority to confer with the Quebec Government and decide upon the mode of procedure to be followed, in order to carry out the said expropriation; said committee to be composed of Aldermen Nelson, Grenier, Allard, Laurent, Hood, Greene and McShane.

(Certified,)

CHS. GLACKMEYER,

*City Clerk.*

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EXTRACT

From the Minutes of a Meeting of the Special Committee on Railway Extension, held on the 22nd January, 1881.

PRESENT :—Aldermen Nelson, Laurent, Grenier, Allard and Greene.

Submitted and read the letter of the Hon. Mr. Chapleau, dated the 17th January instant, concerning the extension of the Quebec, Montreal, Ottawa and Occidental Railway to the Quebec Gate Barracks property.

*Resolved*,—That the proposition to appoint two persons to secure so much of the property required for such extension, as may be required, by amicable arrangement be approved of, and that Jean-Baptiste Resther, architect, be appointed by this Committee to act with the gentleman to be chosen by the government for that purpose; and that Alderman Laurent be requested to assist and co-operate with these gentlemen in attaining the object in view.

(Certified), CHS. GLACKMEYER,  
City Clerk.

EXTRACT

From a letter of the Honorable J. A. Chapleau, Commissioner of Railways, dated the 17th January, 1881, to His Worship the Mayor of the city of Montreal.

There now remains only the question of expropriation which may retard the carrying out of our arrangement.

I wish to inform your Council that if the Corporation of Montreal consent to accept the system of expropriation prescribed for the building of the railway, the Government will commence expropriation proceedings immediately, and this, after all, would be the best plan to adopt.

If, on the contrary, you wish to have the expropriation made according to the plan adopted for municipal improvements, you would be obliged to await special legislation for that purpose, and that would necessarily cause considerable delay.

In the meantime the Government is ready to appoint a person who, with the person appointed by the Corporation for that purpose, would attend to the expropriation in all cases in which it will be possible to come to an amicable arrangement with the proprietors.

I have reason to believe that by this means we could acquire nearly all the property required for the construction of the railway without having recourse to forced expropriation.

On receipt of your reply the Government will immediately appoint some one, so that proceedings may be taken without delay.

(Signed), J. A. CHAPLEAU,  
Commissioner.

CAP. III.

An Act to amend the Acts respecting Subsidies in Money to certain Railways.

[Assented to 30th June, 1881.]

**W**HEREAS, by an Act passed during the present Session, Preamble.  
the franchise of the Levis and Kennebec Railway Company has been transferred to the Quebec Central Railway Company, and power given to the latter company, under certain conditions, to change the proposed route of the Levis and Kennebec Railway, and it has thereby become necessary and advisable to confirm to the said Quebec Central Railway Company all rights and privileges, in regard to subsidies to which the Levis and Kennebec Railway Company was entitled: Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. All aid, in the form of subsidy, to which the Levis and Kennebec Railway Company was entitled from this Province, under the several aid Acts, 32 Victoria, chapter 52; 37 Victoria, chapter 2; 38 Victoria, chapter 2; 40 Victoria, chapter 3; and 41 Victoria, chapter 2; is hereby transferred, renewed and confirmed to the Quebec Central Railway Company, upon the terms and conditions mentioned in the said Acts, for the uncompleted portions of the line of the said Levis and Kennebec Railway, including the portion of the said railway, the building of which is authorized by section 2 of the Act of the present Session, intituled: "An Act to amend the Charter of the Quebec Central Railway Company." Provided that, in constructing that part of the line of the said railway as authorized by section 2 of the said Act of the present Session, the said Quebec Central Railway Company shall not be entitled to a larger subsidy than was granted to the said Levis and Kennebec Railway Company, to construct the extension of their line from its present terminus in the parish of Notre-Dame de Lévis to a point at the wharves, at deep water, in Lauzon ward, in the town of Levis.

2. The said subsidy shall be paid, as aforesaid, to the said Quebec Central Railway Company, upon the latter constructing the said uncompleted portion of the line of the said Levis and Kennebec Railway (including the portion to deep water as aforesaid), and as the work progresses on the line of the said route. Payment of subsidy.

Rights and  
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3. The transfer of the subsidy hereby authorized, shall not be held or construed to confer upon the said Quebec Central Railway Company, any further rights or privileges than those conferred upon them by the said Act of the present Session, intituled: "An Act to amend the Charter of the Quebec Central Railway," nor shall it affect the rights of the creditors of the Levis and Kennebec Railway Company."

Act in force. 4. This Act shall come into force on the day of its sanction.

CAP XXXIV.

An Act to encourage the Establishment of Manufactories of Railway Plant.

[Assented to 30th June, 1881.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Lieut.-Gov. in council may exempt manufactories of railway plant from taxation. 1. It shall be lawful for the Lieutenant-Governor in council, for the encouragement of the establishment, in this Province, of manufactories, on a large scale, of rails and fastenings, locomotives, cars, carriages and other rolling stock or railway plant, to grant to any company establishing such a manufactory freedom from taxation on behalf of the government.

Act not to apply to municipal and school taxes and limitation of privilege. Act in force. 2. This act shall not apply to municipal or school taxes, and the privilege so granted, shall not extend beyond twenty-five years.

3. This act shall come into force on the day of its sanction.

CAP. XXXV.

An Act to incorporate the Montreal and Sorel Railway Company.

[Assented to 30th June, 1881.]

Preamble.

WHEREAS the construction of a railway, as herein-after set forth, would be a great advantage to that portion of the province through which it would pass, and the neighborhood thereof; and whereas a petition has been presented praying for the passing of an act to incor-

porate a company authorised to construct the same, and it is expedient to grant the prayer of such petition ; Therefore Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. James F. Armstrong, Cyrille Labelle, Antoine Alphonse <sup>Persons incor-</sup> Taillon, Christopher B. Carter and Charles N. Armstrong, <sup>porated.</sup> together with such other persons and corporations as may become shareholders of the company hereby incorporated, shall be and are hereby constituted a body politic and corporate under the name of " The Montreal and Sorel Rail- <sup>Name of cor-</sup> way Company," and the words " the company " wherever <sup>poration.</sup> used in this act shall mean the Montreal and Sorel railway company, hereby incorporated.

2. The company shall have power and authority to locate, <sup>Power to build</sup> construct and complete and work a railway company, and <sup>railway, &c.</sup> also a telegraph line throughout the entire length of such railway, from a point on the river St. Lawrence opposite or nearly opposite to the city of Montreal, passing by or near the villages of Longneuil, Boucherville, Varennes and Verchères, and thence to Sorel by St. Antoine, St. Denis, St. Ours or St. Roch.

The company shall also have power to construct a bridge <sup>Bridge over</sup> across the river Richelieu. <sup>Richelieu ;</sup>

The company shall also have power to build, own and <sup>Steamboats</sup> operate steam and other vessels in connection with the <sup>and other ves-</sup> said railway, and may maintain and operate a steam or <sup>els.</sup> other ferry between the western terminus of their railway and the city of Montreal, and to and from any places on the River Richelieu, and shall also have power to build such stations, depots, wharves and warehouses as may be necessary to carry on the business of the company.

3. The company shall have all the powers conferred by <sup>Powers grant-</sup> the " Quebec Consolidated Railway Act, 1880," not incon- <sup>ed by Railway</sup> sistent with the provisions of this Act. <sup>Act, 1880.</sup>

4. The persons named in the first section of this act, <sup>Provisional</sup> with power to add to their number, shall and are hereby <sup>directors.</sup> constituted the provisional directors of the company, and four of them shall be a quorum ; they shall remain in office <sup>Quorum and</sup> until the first election of directors which shall be held <sup>duration of</sup> under this act ; and such provisional directors shall have <sup>office.</sup> power, forthwith, to open stock books, and obtain subscrip- <sup>Power to open</sup> tions to the capital stock of the undertaking ; and as soon <sup>stock books,</sup> as they have obtained sufficient subscriptions to the capital <sup>&c.</sup> stock, as hereinafter provided, they shall call a meeting of the shareholders of the company for the election of directors.



**Capital of company.** **5.** The capital stock of the company shall be seven hundred and fifty thousand dollars, divided into shares of one hundred dollars each, but it may be increased from time to time by a vote of the majority in amount of the shareholders, present in person, or represented by proxy, at any meeting specially called for that purpose, to a sum not exceeding one million five hundred thousand dollars.

**Proviso.**

**Power to receive aid.** **6.** It shall be lawful for the company to receive as aid in the construction of the said railway any vacant lands or any real or personal property or any sums of money either as gifts or by way of bonus, or in payment of stock, and it may legally dispose of and alienate such lands and other real or personal property for the purposes of the company.

**Calling of first meeting for election of directors.** **7.** So soon as an amount of seventy-five thousand dollars of the capital stock of the company shall have been subscribed, and ten per cent thereof paid up, the provisional directors shall call a general meeting of the subscribers to the capital stock, in the town of Sorel, for the purpose of electing the directors of the company, whose number shall not exceed five; notice of such meeting shall be published for two weeks, in a paper published in the town of Sorel.

**Notice for that purpose.**

**Election of directors by shareholders.** **8.** At such general meeting the shareholders assembled, who have paid up ten per cent of their subscriptions, shall personally or through their proxies elect the directors of the company, three of whom shall form a quorum, and they may pass such by-laws and regulations as they may deem necessary.

**Quorum.**

**By laws.**

**Calling of subsequent meetings.** **9.** Every annual or other general meeting thereafter shall be convened at the time and place, and in the manner prescribed by the said by-laws and regulations.

**Qualification of directors.**

**10.** No person shall be chosen or appointed director unless he holds, in his own name, at least fifty shares in the capital stock of the said company, and has paid up all calls on the said shares.

**Power to issue mortgage bonds.**

**11.** The directors of the company are hereby authorised to issue mortgage bonds, bearing the seal of the company, and signed by the president, or other presiding officer, and countersigned by the secretary; and such bonds may be payable in such manner, at such place in Canada or elsewhere, and shall bear such rate of interest as the directors may deem advisable; and the directors shall have power to issue and sell or pledge all or any of such bonds, at the prices and on the terms and conditions as they may deem

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**Power to sell same.**



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fit, for the purpose of raising the amount necessary for the carrying out of the undertaking ; provided that the amount of such bonds so issued does not exceed fifteen thousand dollars per mile ; provided also that no such bonds shall be issued until at least seventy five thousand dollars of the capital stock have been subscribed and ten per cent thereon paid up.

12. The mortgage bonds hereby authorised to be issued shall, without registration or formal transfer, be received and considered as a first claim and privileged debt against the company, its undertaking, tolls and revenues, and the moveables and immoveables which it now possesses or may hereafter acquire ; and every holder of such bonds shall be deemed an hypothecary creditor, as to such security, *pro rata* with all other bond holders.

13. All bonds, debentures, hypothecs and other securities hereby authorised, and their coupon and certificates of interest due may respectively be made payable to bearer and in such case they shall be transferable by simple delivery, and the holder may sue for recovery thereof in his own name, until they be registered, and, when they are registered, they shall be transferable by a deed of transfer in the same manner as in the case of transfers of shares ; but they shall again become transferable by simple delivery, upon the registration of a transfer to bearer, and the company shall be bound to execute such registration on the application of the then registered holder.

14. The company shall have power and authority to become parties to promissory notes and bills of exchange, of not less than one hundred dollars, and any such promissory note or bill of exchange made, accepted or endorsed by the president or vice-president of the company, and countersigned by the secretary, under the authority of a majority of a quorum of the directors, shall be binding on the company ; and every such promissory note or bill of exchange so made shall be presumed to have been duly made with the proper authority, until the contrary be shewn ; and in no case shall it be necessary to have the seal of the company affixed to any promissory note or bill of exchange ; nor shall the president or vice-president or the secretary and treasurer of the company be personally responsible for the same, unless the said promissory note or bill of exchange has been issued without the sanction and authority of the board of directors, as herein provided and enacted. Provided, however, that nothing in this section shall be construed to authorize the company to issue notes or bills of exchange, payable to bearer or

Proviso.

Proviso.

Mortgage bonds to be privileged debt.

How payable.

Power of company to become party to certain contracts.

Officers not personally responsible.

Proviso.

intended to be circulated as money, or as the notes or bills of a bank.

**Calls.**

**15.** The directors may, at any time, call upon the shareholders for such instalments upon each share which they or any of them may hold in the capital stock of the said company, and in such proportion as they may see fit. Except that no such instalment shall exceed ten per cent on the subscribed capital, and that one month's notice of each call shall be sent by mail to each shareholder.

**Notice for that purpose.**

**Power to amalgamate or make other arrangements.**

**16.** The company shall have power to amalgamate or make arrangements with any line of railway, for the passage of its cars, situated along the line, the construction whereof is hereby authorized, or which shall cross or join the same, and shall also have full power and authority to enter into and conclude any arrangements with any other railway company, for the purpose of acquiring any branch or branches to facilitate the connection between the company hereby incorporated and such other railway company, or to acquire the corporate property and franchise of such other company.

**Railway acquired by company to be under Quebec Consolidated Act, 1880.**

**17.** Except as otherwise provided by this act, every railway in the province of Quebec, acquired by the company, either by purchase or amalgamation, and every branch in the province of Quebec, made or acquired by the company in pursuance of any arrangements under the provisions of this act, shall be held and deemed to be, according to the true intent and meaning of the "Quebec Consolidated Railway Act, 1880," a railway constructed under the authority of an act passed by the Legislature of Quebec.

**Power to lease railway, &c.**

**18.** The company may enter into any arrangement, with any other railway company or with the government of the province of Quebec, for leasing the said railway or any part or branch thereof, or the use thereof, at any time or for any period, or for leasing or hiring from such other company or the said government any railway or any part or branch thereof, or the use thereof at any time or times, and for any period, or for leasing or hiring, as lessors or lessees, any locomotives, tenders, cars or other rolling stock or moveable property from any such company, or any company or individuals or the said government, and generally to make any agreement or arrangement with any other such company or the said government, touching the use by one or the other or by both, of the said railway or rolling stock or moveable property of either or both, or any part thereof, or touching any service to be rendered by the one to the other, and the compensation therefor; provided

the said leases, arrangements and agreements had been first <sup>Proviso.</sup> respectively sanctioned by the majority of votes, at a special general meeting of the shareholders, called for the purpose of considering the same respectively, after due notice given as provided by "The Quebec Consolidated Railway Act, 1880."

19. All shareholders in the company, whether British <sup>Rights of</sup> subjects or aliens or residents of Canada or elsewhere, shall <sup>shareholders.</sup> have equal rights to hold stock in the company, and to vote on the same, and be eligible to any office in the company.

20. All deeds and conveyances of lands to the said com- <sup>Form of deeds</sup> pany, for the purposes of this act, in so far as circumstances <sup>of sale.</sup> will admit, may be in the form of the schedule A, to this act subjoined.

21. Work shall be commenced on the said railway with- <sup>Time when</sup> in six months from the sanctioning of this act, and shall <sup>work upon</sup> be completed within two years thereafter. <sup>railway shall</sup> <sup>be commen-</sup> <sup>ced.</sup>

22. This act shall come into force on the day of its sanc- <sup>Act in force.</sup> tion.

SCHEDULE A.

DEED OF SALE.

Know all men, by these presents, that  
of \_\_\_\_\_ in the County of \_\_\_\_\_ for and  
in consideration of the sum of \_\_\_\_\_ to paid  
by the Montreal and Sorel Railway Company, which  
acknowledge to have received, grant, bargain, sell and con-  
vey unto the said Montreal and Sorel Railway Company,  
their successors and assigns, all that tract or parcel of land  
the same having been selected  
and laid out by the said company, for the purposes of their  
railway, to have and to hold the said lands and premises  
unto the said company, their successors and assigns for  
ever,  
Witness \_\_\_\_\_ hand and seal  
at \_\_\_\_\_, this \_\_\_\_\_ day  
of \_\_\_\_\_, one thousand eight hundred  
and \_\_\_\_\_

Signed, sealed and delivered }  
in the presence of }

## CAP. XXXVI.

An Act to amend the Act incorporating the Montreal Island Railway Company.

[Assented to 30th June, 1881.]

Preamble.

WHEREAS, the Montreal Island Railway Company have, by their petition, represented that by an Act of this Province, passed in the forty-first year of Her Majesty's reign and intituled: "An Act to incorporate the Montreal Island Railway Company," they were empowered to construct a railway from Mount Royal Avenue, in the parish of Montreal, to the River des Prairies, in the parish of Sault au Recollet.

And whereas it is expedient and advantageous to amend the said Act, by enabling the said company to extend their line of suburban railway as hereinafter indicated; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

41 Vict., c. 49, s. 2, replaced. **1.** Section 2, of the Act of the Quebec Legislature, 41 Vict., chap. 49, is repealed, and the following substituted therefor:

Line of railway in certain localities.

"2. The company is hereby authorized to lay out and construct, make and finish, run and work, an iron railway from Mount Royal Avenue, in the parish of Montreal, or from a point in the city of Montreal, on the eastern side of St. Lawrence Main street or the continuation of said street, to the River des Prairies, in the parish of Sault au Recollet; also, an iron railway from Mount Royal Avenue aforesaid, or from a point in the city of Montreal as aforesaid to and through the municipalities of Outremont, Côte des Neiges, to the village of St. Eustache, in the county of Two Mountains, or such intermediate points, as the future wants of the community may warrant;

Also, an iron railway from a point within the northern boundary of the city of Montreal, in a northerly direction, as far as the village of L'Assomption, in the county of L'Assomption, or to such intermediate points as the future wants of the community may warrant; also, an iron railway from some point within the city of Montreal, through Mount Royal Park, to the summit of the Mountain.

Provide as to certain places.

(2) Provided, however, that the said railway shall not pass through Mount Royal cemetery, nor through the cemetery of Côte des Neiges nor through any of the Avenues leading to the said cemeteries, and that before laying out, constructing and making any of the said railway within the limits of the city of Montreal or Mount Royal Park, they shall obtain, from the Council of the said city, a consent

to that effect, and the same shall be authorized by a by-law of the city of Montreal on such conditions as to the Council shall seem fit."

2. For the working of the said railway, it shall be lawful for the said company to use dummy or other engines, propelled by steam, or other motive power, or horse power, on part or the whole of the said railway, if deemed necessary by the directors; and the gauge of the said railway shall be of the breadth to be determined by the directors of the said company; and the building of the said railway may be commenced at such point or points, as shall be decided upon by the directors of the said company.

Motive power to be used.

Gauge.

Where railway to be commenced.

CAP. XXXVII.

An Act to incorporate "The Mountain Park Railway and Elevator Company."

[Assented to 30th June, 1881.]

WHEREAS, Joseph-Alderic Ouimet, Queen's Counsel, Charles Peers Davidson, Queen's Counsel, William Wingfield Bonnyer, Civil Engineer, Hubert R. Ives, Merchant, and Selkirk Cross, Advocate, all of the city of Montreal, and George C. Cooke, of Outremont, Gentleman, have, by their petition, prayed that they, and such other persons as may, together with them, become shareholders in the company, be incorporated for the purpose of constructing and building elevators and railways or tramways (either upon the surface of the ground or as elevated roads), from points in the city of Montreal up to and upon the Mountain Park; and from the city to any points on the Island of Montreal: Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Preamble.

1. The persons above mentioned, together with such other persons as may become shareholders, are constituted a corporation by the name of "The Mountain Park Railway and Elevator Company."

Persons incorporated.

Name of corporation.

2. The company is authorized to lay out and construct and finish, run and work, elevators and railways or tramways (either upon the surface of the ground or as elevated roads), from points in the city of Montreal, up to and upon the Mountain Park, and from the city to any points on the Island of Montreal, and for the

General powers of company.

working of the said railways, elevators and tramways, it shall be lawful for the company to use dummy-engines or horse power on part or the whole of the said line; and the Company is also empowered to lay out and construct a double track on part or the whole of the said railway, if deemed necessary by the Directors, and the gauge of the railway shall be of the breadth to be determined by the Directors; and the building of the said railway and elevator may be commenced at such point or points, within the above-mentioned limits as shall be decided upon by the Directors of the said Company. Provided, however, that the said railway shall not pass through Mount Royal Cemetery, nor through the Cemetery of Côte des Neiges, nor through any of the avenues leading to the said cemeteries, nor without the consent of the trustees of the Montreal Turnpike Trust, along or upon any road under their control, and that, before laying out, constructing and making any of the said railway within the limits of the city of Montreal or Mount Royal Park, it shall obtain from the council of the said city a consent to that effect, and the same shall be authorized by a by-law of the city of Montreal, on such conditions as to the council shall seem fit.

Proviso.

Power of appropriation for stations, &c.

3. The Company is empowered to take and appropriate for its stations or depots, where such stations or depots may be required for any of the works by this act authorized, such immovable property as may be required therefor, subject to the provisions in that behalf of the Quebec Consolidated Railway Act, 1880.

Capital stock of the Company.

4. The capital stock of the Company shall be one hundred thousand dollars, to be divided into two thousand shares of fifty dollars each, with the right of increasing the capital stock to two hundred thousand dollars, when deemed advantageous by a majority of the stockholders. The money so raised shall be applied, in the first place, towards the payment and discharge of all fees, expenses and disbursements for procuring the passing of this act, and for making the surveys, plans and estimates relating to the works, and all the remainder of such money shall be applied towards making, constructing, maintaining and working the railway and elevator.

First directors of the Company.

5. J. Alderic Ouimet, Charles Peers Davidson, William Wingfield Bonnyer, Hubert R. Ives, Selkirk Cross, and George C. Cooke, are appointed the first directors of the Company, with power to fill any vacancies that may occur therein; to open stock-books and make a call on the shares therein subscribed, to call a meeting of subscribers for the election of directors, in the manner hereinafter provided,

Stock books.



and all such other powers as are conferred upon boards of directors by the Quebec Consolidated Railway Act, 1880.

6. When and so soon as ten thousand dollars of the capital stock shall have been subscribed, the Company may commence operations, and the directors or a majority of them shall call the first general meeting of the shareholders at such place and time as they shall think proper, giving not less than fifteen days public notice in two newspapers, published in the City of Montreal, one in the French language and the other in the English language.

7. The annual general meetings after the first meeting hereinabove mentioned, shall be held on the first day of February each year, or if such day be a holiday, on the next juridical day or on such day and at such place as shall be appointed by by-law, and notice of such annual meeting shall be published one month previously in two newspapers, published in the City of Montreal, one in the English language and one in the French language, that may be prescribed by the by-laws of the Company.

8. The board of directors shall consist of six directors, but this number may be diminished to five or increased to nine, from time to time, by by-law. No person shall be appointed a Director, unless he holds, in his own name and right, shares in the capital stock of the Company to the amount of twelve hundred and fifty dollars and has paid up all calls on such shares.

9. Three of the Directors shall form a quorum for the transaction of business, and the Directors may employ one of their number as Managing Director, who may have a salary to be determined by the Board of Directors.

10. Each shareholder shall be entitled to a number of votes equal to the number of shares he shall have had in his own name, at least two weeks prior to the time of voting; provided that no party or parties shall be entitled to vote at the meetings of shareholders who shall not have paid up all calls due upon his or their stock at least twenty-four hours before the hour appointed for the meeting.

11. It may and shall be lawful for the Company to cross, intersect, join and unite their railway with any other railway or tramway at any point on its route, and upon the lands of such other railway or tramway, with the necessary conveniences for the purposes of such con-



Case of disagreement.

nection, and the owners of both railways or tramways may unite in forming such intersections, and in granting facilities therefor, and in case of any disagreement upon the point or manner of such crossing and connection, the same shall be determined by arbitrators, to be appointed by one of the Judges of the Superior Court for the Province of Quebec.

Power to make arrangements with Montreal City Passenger Railway company, &c.

**12.** It shall be lawful for the Company and the Montreal City Passenger Railway Company to enter into any agreement or agreements for the use, by the one or the other of the companies or both companies, at the same time, of the railroad of such other company or of any part thereof, or of any station, cars or any other immovable property of either or both such companies, or touching any service to be rendered by the one company to the other, and the price and compensation for such services, or for the construction of one or more branch roads, one or more tramways, in order to facilitate the junction of the railroads of both companies ; and any such agreement, executed in due form of law by the two companies, shall be valid and binding, subject, however, to any statute now in force in reference to the powers and obligations of the said Montreal City Passenger Railway.

Quebec consolidated Railway Act, 1880, to apply.

**13.** The provisions of the Quebec Consolidated Railway Act, 1880, in so far as not inconsistent with this act, shall apply to the Company.

#### CAP. XXXVIII.

An Act to amend the Act of Incorporation of the St. Johns and Sorel Railway Company.

[Assented to 30th June, 1881.]

Preamble.

**WHEREAS** the St. Johns and Sorel Railway company have prayed to be authorized to amend their Act of Incorporation, 48-44 Victoria, chapter 58, and whereas it is expedient that their prayer be granted ;  
Therefore Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Power of company to change its line.

**1.** \* It shall be lawful for the St Johns and Sorel Railway Company to change the route of their railway, as fixed

\* See next chapter, amending this section.

in their charter, between St. John's and Sorel, passing *vid* St. Hyacinthe or Ste. Madeleine or any other place in the County of St. Hyacinthe which shall be deemed more advantageous or more practicable. The company shall have the right to cross the River Richelieu at such point, as may be most convenient.

2. Section 12 of the Act 43-44 Victoria, chapter 53, is hereby amended by substituting, in the thirteenth line thereof, the word : fifteen, for the word : eight.

3. Section 17 of the said Act is hereby repealed.

*Id. s. 17, repealed.*

4. The directors of the Company shall have full power and authority to enter into and conclude any arrangements with any other Railway Company, for the purpose of making or acquiring any branch or branches, to facilitate a connection between the Company hereby incorporated and such other Railway Company, or to acquire the corporate property and franchise of such other Company.

*Power to acquire branches.*

5. Except as otherwise provided by this act, every railway in the Province of Quebec, acquired by the Company, either by purchase or amalgamation, and every branch in the Province of Quebec, made or acquired by the Company, in pursuance of any arrangement under the provisions of this act, shall be held and deemed to be, according to the true intent and meaning of "The Quebec Railway Act, 1880," a railway constructed under the authority of an act passed by the Legislature of Quebec.

*Railways acquired by company to be under Quebec Consolidated Railway Act, 1880.*

6. The Company may amalgamate or enter into an arrangement with any other Railway Company or with the government of the Province of Quebec, for selling or leasing the said Railway or any part or branch thereof or the use thereof, at any time, and for any period, or for purchasing, leasing or hiring from such other Company or the said government any railway or any part or branch thereof, or the use thereof, at any time or times and for any period or for leasing or hiring, as lessors or lessees, any locomotives, tenders, cars or other rolling stock or movable property from any such Company, or any Company or individuals, or the said government, and generally to make any agreements or arrangements with any such other Company or the said government, touching the use by one or the other, or by both, of the said railway or rolling-stock or movable property from any such Company or any Company or individuals or the said government, and generally to make any agreement or arrangements with any such other

*Power to amalgamate and make arrangements with other companies.*

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company or the said government, touching the use by one or the other, or by both, of the said railway or rolling-stock or movable property of either or both, or any part thereof, or touching any service to be rendered by the one to the other, and the compensation therefor; Provided the said sales, purchases, leases, agreements and arrangements have been first respectively sanctioned by the majority of votes, at a special general meeting of the shareholders, called for the purpose of considering the same respectively, after due notice given as provided by "The Quebec Railway Act, 1880."

Other powers of making arrangements for construction and maintenance.

7. The company may, for the purpose of securing an early completion of the line between St Johns and Sorel, agree with any other chartered railway company for the construction and maintenance of any portion of their road between the points named, and have full power and authority to delegate to such other company all such powers as may belong to the company, both as to rights of way and borrowing powers, and make such arrangements for the joint use of the road so constructed as they may mutually agree upon.

Right of shareholders to vote.

8. All shareholders in the company, whether British subjects or aliens or residents of Canada, or elsewhere, shall have equal rights to hold stock in the company, and to vote on the same, and be eligible to any office in the company.

Act in force.

9. The present Act shall come into force on the day of the sanction thereof.

#### CAP. XXXIX.

An Act to amend an Act of this Session, intituled: "An Act to amend the Act of incorporation of the St. Johns and Sorel Railway Company."

[Assented to 30th June, 1881.]

Preamble.

**W**HEREAS there has been an omission in the drawing up of the amendment of the first section of the said Act; adopted in Committee of the Whole, and whereas it is expedient to supply such omission: Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

S. 1 of 44-40 V., c. 58, repealed.

1. The first section of the Act of this Session, intituled: "An Act to amend the Act of incorporation of the St. Johns

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and Sorel Railway Company," is repealed, and replaced by the following:

"1. The St. Johns and Sorel Railway Company may change the line of its railway, as set forth in its charter, between St. Johns and Sorel, passing *via* St. Hyacinthe, Ste. Madeleine, or *via* any other place in the county of St. Hyacinthe which shall be found most advantageous and practicable, following the most direct line possible from St. Johns. The company shall have the right to cross the river Richelieu at such place as it shall deem most suitable."

"2. This Act shall come into force on the day of its Act in force. sanction.

CAP. XL.

An Act to amend the charter of the Quebec Central Railway Company.

[Assented to 30th June, 1881.]

WHEREAS the Quebec Central Railway Company has become purchaser (adjudicataire) at sheriff's sale, of that portion of the Levis and Kennebec Railway which is now constructed and is now in possession thereof, and is working the same; and whereas the Levis and Kennebec Railway Company has surrendered its franchise and right to build, maintain and work a railway from the foot of the cliff, in the town of Levis, to the frontier of the State of Maine, in favor of the Quebec Central Railway Company; and whereas the latter company is desirous of continuing and completing the said railway to the frontier aforesaid, and also of connecting the same with the wharves at deep water within the said town of Levis; and whereas the Quebec Central Railway Company has, by its petition, represented that to enable it to complete and work the said railway, it is necessary that its charter should be amended; and whereas it is expedient to grant the prayer of its petition: Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. The Quebec Central Railway Company shall have full power and authority to lay out, construct, make and finish a single or double railway, with iron or steel rails, of such width and gauge as the company may judge most advantageous, from any point at the wharves at deep water of the river St. Lawrence in Lauzon ward, in the town of Levis, to a point most convenient on the frontier of the

Railway may change its line.

Preamble.

Power to construct railway from deep water in Lauzon ward, Levis, to frontier of Maine, in county of Beauce.

State of Maine, in the county of Beauce, making use of and maintaining for the said line, such part or parts only of the Levis and Kennebec Railway, which was acquired by it at sheriff's sale on the twenty-second day of March, one thousand eight hundred and eighty-one, as the company may see fit.

Line to be continued from present terminus of Levis and Kennebec Railway in parish of Notre-Dame de Levis.

Proviso, as to guarantee town of Levis.

If guarantee be not furnished.

Further proviso.

Line to form part of Quebec Central Railway.

2. In constructing said line the said company shall be bound to continue, from the present terminus of the said Levis and Kennebec Railway, in the parish of Notre-Dame de Levis, into Notre-Dame ward in the town of Levis and erect a station there, thence traversing Lauzon ward in the said town of Levis and the villages of Bienville and Lauzon, to arrive at deep water in said Lauzon ward; provided that, within thirty days from the sanction of the present act, the corporation of the town of Levis furnishes the said company with its valid guarantee and obligation to pay all excess over thirty thousand dollars of the cost of expropriation, for the right of way upon the said described route, in so far as said route traverses the parish of Notre-Dame de Levis, Notre-Dame and Lauzon wards in the town of Levis and the village of Bienville and Lauzon, following the brown line shown on the plan of the said company to be deposited for reference in the Public Works Department of this Province, to the point of intersection with the red line upon said plan; and in default of said guarantee and obligation being so furnished, the said company shall be relieved of the obligation to adopt the route and erect the station described in this section and shall have the right to avail itself of the provisions of section one of this act, and provided, further, that in the event even of said guarantee and obligation being furnished, as hereinbefore mentioned, the said company shall be relieved of the obligation to adopt the route and erect the station, described in this section, and shall have the right, within one year from the sanction of the present act, to avail itself of the provisions of section one of this act, upon paying to the corporation of the town of Levis the sum of fifty thousand dollars before commencing the work of construction.

3. The said line of railway shall form part of the Quebec Central Railway, and all powers conferred upon the Quebec Central Railway Company, shall apply to and may be exercised, with respect to the said line of Railway, in the same manner as if it had originally formed part of the Quebec Central Railway.

4. The power and authority, conferred upon the Levis and Kennebec Railway Company, by its act of incorporation 32 Vict., cap. 54, and the amendments thereto, to lay out, construct and work a Railway, is withdrawn and ceases and determines.

Powers of Levis and Kennebec under 32 V. c. 54 withdrawn.

5. The said line of railway shall be completed within five years from the passing of this act.

Term for completing railway.

6. The Quebec Central Railway Company shall have the power and is authorized to sell, lease to or amalgamate with any other railway company, or to acquire any other railway or undertaking, by purchase or lease, or to make any agreement with any other railway company, for granting running powers to, or acquiring running powers from, such other railway company, for such length of time as may be thought best and generally to make any agreement or agreements with any such other company, touching the use by the one or the other, or by both companies, of the said railways or undertakings, so purchased or taken by way of transfer, lease, amalgamation or fusion, as aforesaid, or any of them, or any part thereof respectively, or touching any service to be rendered by one company to the other, in relation thereto.

Company may sell, &c., its Railway.

7. The capital stock of the Quebec Central Railway Company may be increased, by resolution of the board of directors, at any time or from time to time, to an amount which shall not exceed in the aggregate four thousand five hundred pounds sterling per mile of its railway, as defined by this act, and paragraph 19 of section 7 of the Quebec Consolidated Railway Act, 1880, shall not apply to the company.

Capital stock may be increased.

The stock of the company shall be divided into shares of twenty-five pounds sterling each, and the stock now issued shall be converted into such shares.

Division of stock in shares.

It shall be lawful for the company to issue paid-up stock in exchange for bonds of the Levis and Kennebec Railway Company to such holders of lawfully issued bonds thereof as have agreed to accept the same.

Power to issue paid-up shares for bonds of Levis and Kennebec Railway Company.

8. The bonds which the company may issue, in virtue of section 2 of the act 36 Vict., cap. 47, are limited to the amount of four thousand pounds sterling per mile of its railway, as defined by this act and may be issued in dollars or pounds sterling. The bonds which the company may so issue shall bear first hypothec, as well upon the original portion of the Quebec Central Railway as upon the part added thereto by this act.

Power to issue bonds limited.



Proviso.

Provided, however, that this act shall not be held to affect the position or privileges of bonds Nos. 506 to 605 inclusive, and No. 163 of a previous issue of bonds of said Quebec Central Railway, amounting to £10,000 stg.

Charter of  
Quebec Central  
Railway  
Company.

9. This act and the acts of this province, 32 Vict., chap. 57; 36 Vict., chap. 47; 38 Vict., chap. 45, and 40 Vict., chap. 32, shall be read and interpreted as forming one and the same act for the purposes of the railway, and may be referred to and cited as "The Charter of the Quebec Central Railway Company."

Act not to af-  
fect creditors  
of Levis and  
Kennebec  
Railway or  
pending cases.

10. This act shall in nowise affect the rights of the creditors of the Levis and Kennebec Railway Company, nor shall it affect any cases now pending, to which the creditors of either of the said companies are parties.

Act in force.

11. This act shall come into force on the day of its sanction.

C A P. X L I .

An Act to amend the act incorporating the Waterloo and Magog Railway Company.

[Assented to 30th June, 1881.]

Preamble.

WHEREAS the Waterloo and Magog Railway Company have, by their petition, represented that it is desirable to amend their act of incorporation, and it is expedient to grant the prayer of their petition; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Time for com-  
pleting rail-  
way extended.

1. The time for the completion of the said railway and works connected therewith, is hereby extended to five years, from the passing of this act.

Power to sell,  
&c., railway.

2. The said company may sell their railway, with all its property, privileges and franchises to any other incorporated railway company; or may amalgamate with any incorporated railway company; and such sale or amalgamation may be effected by a deed of agreement made with the sanction and approval of the shareholders of both companies, by resolution passed at special meetings thereof, specially called for the purpose, according to their respective acts of incorporation; and such deed of agreement shall only have full force and effect after a duplicate thereof shall have been

Mode of sale,  
&c.



deposited in the office of the Provincial Secretary of the Province of Quebec, and, from and after the date at which a notice of such deposit shall be published in the *Quebec Official Gazette*; and the said company may also buy and acquire the property and franchise of any other railway with which it connects, and may hire, lease and operate the same. Power to buy, &c., other rail-ways.

**3.** Whereas by a notarial deed of sale, executed on the seventeenth day of October, eighteen hundred and seventy one, before J. S. Hunter, N. P., the Ives Mining Company assigned and conveyed to the trustees and managers of the Vermont Central Railroad Company certain lands in the Townships of Bolton and Magog, which are fully described in the said deed; and, whereas, by a certain other deed of agreement and sale, executed before the said Notary Public, on the twenty-sixth day of July, 1871, the Huntington Mining Company assigned and conveyed to the said trustees and managers of the Vermont Central Railroad Company, the rights of the said Huntington Mining Company to the railway, lands and other property and rights therein described; and, whereas, by a certain other deed of sale, executed at the city of Boston, in the State of Massachusetts, before witnesses, on the thirtieth day of October, 1874, the Central Vermont Railway Company, in their capacity as receivers and managers of the Vermont Central and Vermont and Canada Railroad Companies, assigned and conveyed to the Waterloo and Magog Railway Company all the property, lands, rights and privileges, intended to be conveyed by the two above recited deeds; now therefore, Certain deeds rendered valid. for the purpose of preserving the equitable rights and giving legal effect to the intentions of all the said contracting parties, in accordance with the tenor of the said agreements and deeds, it is hereby further enacted and declared, that the said several deeds shall be held to be valid and effectual, according to their purport, notwithstanding any provisions to the contrary of the law of this Province, respecting the inability of foreign corporations to acquire, hold and dispose of immovable property. Preamble.

**4.** This act shall come into force on the day of its sanction. Act in force.

## CAP. XLII

An Act to amend the Acts relating to the incorporation of the Missisquoi and Black Rivers Valley Railway Company.

[Assented to 30th June, 1881.]

Preamble.

**W**HEREAS the Missisquoi and Black Rivers Valley Railway Company have, by petition, prayed for amendments to their act of incorporation and to the act amending the same, and whereas the said company have already constructed and completed part of their railway, and, so far, have laid out considerable sums of money upon the same, and whereas they have prayed that the time, within which they are bound to complete the whole of their railway, be extended; and whereas they have also prayed to be allowed to prolong and extend their line from Richmond to L'Avenir; and whereas it is expedient to grant the prayer of the said petition: Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

**Name changed** 1. The name of the company, heretofore designated as the Missisquoi and Black Rivers Valley Railway Company, shall be hereafter "The Missisquoi Valley Railway Company."

**Power to prolong line.** 2. The said company shall have power to prolong and extend their line of railway, from their terminus in Richmond to or near the village of L'Avenir, in the county of Drummond, there to connect with the line of railway, to be built by the South Eastern Railway Company from Drummondville to L'Avenir, and the company shall also have power to build and operate a telegraph line along the whole length of their railway.

**Build telegraph.**

**Time for completion extended.** 3. The time fixed for the completion of the railway and branches of the said company, is hereby extended to the last day of the year one thousand eight hundred and eighty-five.

**Power to make arrangements for running with South Eastern Railway Company.** 4. The said company are hereby authorized to agree with the South Eastern Railway Company to run their own locomotives or cars upon the line of the said South Eastern Railway Company, between Mansonville and Richford, under whatever conditions as may be settled upon between both companies, as to such running powers on the said part of line.

5. The annual meeting of the shareholders of the said company shall hereafter be held on the first Wednesday in the month of February of each year, and if such Wednesday be a non-juridical day, such meeting shall be held on the next following juridical day, and the term of office of the present board of directors is hereby extended from the first Monday of July of this year, to the first Wednesday of February next.

Annual meeting of shareholders.  
Term of office of present board.

6. The said company may, by by-laws, enact that the number of their directors be reduced from nine to seven, and that the head office of the company be transferred to the city of Montreal or elsewhere in this Province.

Number of directors may be reduced.

7. The debentures issued under section 2, of the Act 38 Vict., chap. 43, are hereby cancelled, but such cancellation shall have full force and effect only when the debentures now issued under the said Act shall have been all redeemed by the said company.

Certain debentures cancelled.

8. The said company, as soon as the debentures now issued shall have been all so redeemed, may issue debentures to the amount of twelve thousand five hundred dollars per mile of their railway and branches then constructed and in operation, but no such debentures shall be issued unless they be for five hundred dollars currency or one hundred pounds sterling each, and when any and every ten miles of the said railway shall have been constructed and shall be in operation, such debentures shall carry hypothec upon all and every part of the said railway, rolling stock, lands, stations, or other property of the said company, and shall be a first lien upon the said railway, lands, stations or other property, and that without registration, any provision of law to the contrary notwithstanding.

New issue of debentures authorized.  
Privilege as to amount.  
Privilege of such debentures.

9. Notwithstanding anything in the two preceding sections contained, should the said company fail to redeem and cancel all the outstanding bonds therein mentioned, by reason of the neglect or refusal of the holders thereof to present the same for redemption, the same shall be reckoned as though forming part of the issue of new mortgage debentures authorized by the present Act, in so far only as regards the total amount of such unredeemed debentures; and any such unredeemed debentures may, at any time thereafter, be redeemed, and further issue made for the amount thereof, under this Act, in like manner as at the first, and no debentures issued or to be issued, under the present Act shall be invalid, by reason of the said company not having redeemed any portion of outstanding debentures,

Proviso if debentures are not redeemed.  
Debentures may be afterwards redeemed.

the holders whereof have neglected or refused to present the same for redemption.

Redeemed debentures cancelled. **10.** All debentures, redeemed as aforesaid, shall thereupon stand *ipso facto* cancelled, and shall be to all intents, null and void and incapable of re-issue.

Act in force. **11.** This Act shall come into force on the day of its sanction.

CAP. XLIII.

An Act to amend the Acts relating to the South Eastern Railway Company.

[Assented to 30th June, 1881.]

Preamble.

**W**HEREAS the South Eastern Railway Company hath, by its petition, represented that the customary clause now inserted in all railway charters, whereby the working expenses, including rents of leased roads, are made a first lien upon the earnings of the said companies, was omitted from its charter, and that it is desirable and necessary that the powers conferred by the said clause, should be possessed and enjoyed, to a limited and qualified extent, by the said South Eastern Railway Company, and hath prayed for an amendment to its charter in that respect, and it is expedient to grant the prayer of the said petition ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Certain lease confirmed.

**1.** The lease, executed between the said South Eastern Railway Company and the Lake Champlain and St. Lawrence Junction Railway Company, bearing date the second day of April, one thousand eight hundred and eighty-one, passed at the City of Montreal, before William de M. Marler, notary public, whereby the said South Eastern Railway Company, obliged itself to pay to the exoneration of the said Lake Champlain and St. Lawrence Junction Railway Company, under certain conditions, in said lease set forth, the interest upon six hundred thousand dollars of bonds of the latter company, of which bonds the amount of three hundred and seventy-eight thousand dollars is already issued and held by divers parties, the interest on which amounting to eleven thousand three hundred and forty dollars, is absolutely provided for, and the remainder, amounting to six thousand six hundred and sixty dollars, to be provided for and paid on the occurring of the contingency, in the said lease set forth, which interest is to be

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paid semi-annually, in advance, by a special deposit of the amount due, in accordance with the said lease, in the bank of Montreal, in the city of Montreal, which deposit shall be held to be a sufficient compliance with the contract of the said South Eastern Railway Company, with the trustees of the said bondholders, executed before witnesses, at the said city of Montreal, on the twenty-first day of January, 1881, and to make the payment of the said interest a first lien upon the earnings of the said South Eastern Railway Company, is hereby legalized and confirmed ; but nothing in this act contained shall be held or construed as in any manner impairing or restricting the right of the said South Eastern Railway Company, as authorized by the act of the legislature of this province (43-44 Victoria, chapter 49) to issue mortgage bonds as specified in the said act, and any mortgage bonds to be issued, in pursuance of the said last mentioned act, shall be valid and binding upon the said company, and shall form a first lien upon all its property, receipts and revenues, save and except the priority of lien of the charge, arising out of the said lease as aforesaid.

Proviso, cer-  
tain powers  
of company  
not affected.

2. Notwithstanding anything in the said Act, 43-44 Victoria, chapter 49, contained, should the said South Eastern Railway Company fail to redeem and cancel all the outstanding bonds, mentioned in the said act, previous to the execution of the deed of trust, and the issue of the new mortgage bonds authorized by the said act, by reason of the neglect or refusal of the holders thereof to present the same for redemption, the same shall be reckoned as though forming part of the issue of new mortgage bonds, authorized by the said act, in so far only as regards the total amount of such unredeemed bonds; and any such unredeemed bonds may, at any time thereafter, be redeemed, and further issue made for the amount thereof, under this act, in like manner as at the first, and no bonds issued or to be issued, under the said above cited act, shall be invalid, by reason of the said company not having redeemed any portion of outstanding bonds, the holders whereof have neglected or refused to present the same for redemption.

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3. All bonds redeemed as aforesaid, shall thereupon stand *ipso facto* cancelled, and shall be to all intents null and void and incapable of re-issue.

Redeemed  
bonds can-  
celled.

4. This act shall come into force on the day of its sanc- tion.

Act in force.

## CAP. XLIV.

An Act to incorporate the Quebec, Montmorency and Charlevoix Railway Company.

[Assented to 30th June, 1881.]

## Preamble.

WHEREAS Charles Langelier, advocate, and the Honorable François Langelier, both of Quebec, Louis Napoléon Carrier, notary, of Levis, Onésime Gauthier, yeoman, of St. Urbain, and several other persons have, by their petition, prayed for the passing of an act to constitute them a body politic and corporate and confer upon them the rights and privileges necessary for the construction and working of a railway, from some point in the city of Quebec to some other point on the banks of the River Saguenay; and whereas it is expedient to grant the prayer of the said petition:

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

## Persons incorporated.

1. The said Charles Langelier, François Langelier, Louis Napoléon Carrier, Onésime Gauthier, and such other persons as may become associated with them, in virtue of the present Act, are hereby constituted a body politic and corporate, under the name of "The Quebec, Montmorency and Charlevoix Railway Company."

## Name of the corporation.

## Rights vested in company.

2. The said company is vested with all the rights and privileges required to build and work a railway, starting from some point in the city of Quebec and ending at some point on the banks of the Saguenay River, between Tadousac and Ha! Ha! Bay, following as much as possible the north shore of the river St. Lawrence.

## Amount of capital stock.

3. The capital stock of the said company shall not be less than five hundred thousand dollars, divided into shares of one hundred dollars each, and the amount to which debentures of the said company may be issued shall be one million dollars, with power to increase the same, if necessary.

## Board of directors.

## Quorum.

## President, &amp;c.

4. The board of directors of the said company shall be composed of seven directors, four of whom shall be a quorum, and they shall elect two of their number as President and Vice-President, respectively.

## General meeting of shareholders for

5. The general meeting of the shareholders for the election of directors shall be held on the first Monday of July of



each year, at the place and hour indicated in the notice concerning such meeting, and such notice shall be inserted in a newspaper, published in the city of Quebec, during the two weeks previous to the date of such meeting. The other meetings of the shareholders shall be published in the manner prescribed by the by-laws of the company.

6. Until the election of directors, which shall take place at the first annual meeting of the shareholders, the said directors, Charles Langelier, François Langelier, Onézime Gauthier, J. B. Z. Dubeau, Thomas Edwin Foster, Ludger A. Roberge and Auguste Laberge, shall form the board of directors of the company, and the board so constituted shall have all the rights and powers and enjoy all the privileges conferred by law upon the board of directors elected by the shareholders at their annual meeting, and particularly to open stock-books for subscriptions to the capital of the said company, to call instalments on the subscribed stock and cause the same to be paid up, to issue obligations, bonds or debentures, and to commence and continue the construction and working of the said railway.

7. The principal place of business and the head office of the company shall be in the city of Quebec, or in such other place as may be determined by the board of directors.

8. The company may acquire and hold lands, timber licenses, mining rights and other property of a like nature and work the same for its own profit.

9. Notwithstanding the provisions contained in the Quebec Consolidated Railway Act, 1880, and particularly in the sixteenth and seventeenth sub-sections of section seven of the said Act, the company may construct and work branch lines, each of twenty-five miles in length, and for such purpose, it shall have all the powers, rights and privileges conferred upon it, for the construction and working of its main line. It may also build bridges, wharves and all other works necessary for the construction and working of its line.

10. Notwithstanding articles 21 and 22 of the Municipal Code and the provisions of section 16 of the Quebec Consolidated Railway Act, 1880, the Quebec, Montmorency and Charlevoix Railway Company shall not be bound to make drains and fences, of a greater size or more expensive than the drains and fences made on the lands traversed by the railway, by the owners of such lands, and in any case, the said company shall not be bound to make fences and drains



Proviso if lands situate partly above and partly below high water.

in places where the line of the said railway shall be wholly situate within the water mark of the highest tides. In the event of the land of the said railway being situate, partly within and partly without the water mark of the highest tides as above mentioned, the said company shall not be bound to make drains and fences, except on the portion which is situate outside the highest tide mark; provided, nevertheless, that the company shall not close or obstruct line ditches or other drains made by the owners of lands traversed by the railway of the said company, and in existence at the time such road is built.

Quebec Consolidated Railway Act, 1880, to apply.

**11.** All the provisions of the Quebec Consolidated Railway Act, 1880, which are not inconsistent with the provisions of the present Act, shall apply to the Quebec, Montmorency and Charlevoix Railway, as if they were incorporated in the present Act.

Commencement and completion of works. Act in force.

**12.** The work hereby authorized shall be commenced in two years and terminated in ten years.

**13.** The present Act shall come into force on the day of its sanction.

### CAP. XIX.

An Act ordering and confirming the sale of that part of the Quebec, Montreal, Ottawa and Occidental Railway, extending from Montreal to St. Jérôme, Aylmer and the city of Ottawa.

[Assented to 27th May, 1882.]

Preamble.

**W**HEREAS the Government of the Province of Quebec has entered into an agreement with the Canadian Pacific Railway Company for the sale to the said Company of that portion of the Quebec, Montreal, Ottawa and Occidental Railway, extending from Montreal to St. Jérôme, Aylmer and Ottawa City, which agreement bears date the fourth day of March, one thousand eight hundred and eighty-two; and whereas it is expedient to approve and ratify the said agreement, and to make provision for carrying out the same; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Agreement of sale approved and ratified.

**1.** The said agreement of sale,—a copy of which, with schedules, is annexed hereto as appendix A,—is hereby approved and ratified, and the Government is hereby

authorized to perform and carry out the provisions thereof, according to their purport.

2. Under the said agreement, the said Canadian Pacific Railway Company is hereby vested with the right of property in the said portion of the said railway, lying between Montreal, St. Jérôme, Aylmer and the City of Ottawa, all inclusive; together with all the lands and property referred to and described in general terms, or otherwise, in the said agreement, notwithstanding that such property is not described in the said agreement by meets and bounds or by the cadastral numbers thereof, notwithstanding any provisions of the Civil Code of Lower Canada upon this subject, to the contrary.

Canadian Pacific Railway Company vested with the property of part of the Q. M. O. & O. railway under the agreement.

The mortgages stipulated and created by the said agreement in favor of the Government of the Province of Quebec are, hereby, declared valid and binding on the said company with the same effect and to the same extent, with regard to the property thus hypothecated and charged, as if the same had been described in the said deed by meets and bounds, or by the cadastral numbers thereof, in conformity with the provisions of the Civil Code of Lower Canada and the rank and priority of the Government of the said Province as hypothecary creditors of the said railway, and its appurtenances, and of the immovable property conveyed to the said railway, shall be preserved with the same effect and in the same manner as if the said agreement had been duly registered, upon the day of the passing of this act, against the said railway and other immovable property, in each of the Registry Offices of the several registration divisions, wherein the said railway and property or any portion thereof are situated, in conformity with the provisions of the Civil Code of Lower Canada, at the date of the said agreement.

Mortgages created by the agreement declared valid and binding.

3. And whereas the said Canadian Pacific Railway Company has acquired from the Laurentian Railway Company and the St. Eustache Railway Company, their respective lines of railway, commonly known as the St. Eustache branch and the St. Lin branch respectively, under and by virtue of the two following deeds, viz :

Additional preamble respecting the acquisition of certain railways by the Canadian Pacific Railway Company.

1st. A deed of sale of the Laurentian Railway, duly executed by and on behalf of the said Railway Company, under the seal of the said company, at Montreal aforesaid on the thirteenth day of March, one thousand eight hundred and eighty-two, a copy of which is hereunto annexed as appendix B;

2nd. A deed of sale of the St. Eustache Railway duly executed by and on behalf of the said Railway Company,

under the seal of the said company, at Montreal aforesaid, on the thirteenth day of March, one thousand eight hundred and eighty-two, a copy of which is hereunto annexed as appendix C ;

And whereas, by the said first mentioned agreement between the Government of Quebec and the Canadian Pacific Railway Company, the latter company has hypothecated the said St. Lin and the said St. Eustache branches, as security for the payment of the purchase money mentioned in the agreement hereinabove first referred to, and it is expedient that the said sales and the said hypothec should also be hereby confirmed and ratified, it is therefore further enacted :

Sales of these roads approved and confirmed and mortgages created are also ratified and confirmed.

The said sales of the said Laurentian Railway and of the said St. Eustache branch are hereby approved and confirmed ; and the hypothec created upon them, respectively, by the said first mentioned deed of agreement, is also hereby ratified and confirmed, and constituted a first charge upon each of the said railways and their appurtenances respectively ; the whole upon the terms and conditions in the said contracts mentioned.

Deposit by Canadian Pacific Railway Company of a certain sum of money if certain debentures cannot be returned to the Government.  
Act. in forcé.

4. If the Canadian Pacific Railway Company cannot return to the government all the debentures issued by the Laurentian Railway it shall deposit with the provincial treasurer a sum of money, the amount whereof shall be determined by the lieutenant-governor in council, to represent the value of the said debentures.

5. This act shall come into force on the day of its sanction.

#### APPENDIX A.

This agreement made in duplicate this fourth day of March, eighteen hundred and eighty-two, between Her Majesty the Queen, acting for and on behalf of the Province of Quebec, by the Honorable Joseph A. Chapleau, the Premier and Commissioner of Railways of the said province, hereinafter called : " the Government ;" and the Canadian Pacific Railway Company, a body corporate and politic, duly incorporated by letters patent of the Dominion of Canada, acting herein by Duncan McIntyre and Richard B. Angus, vice-presidents thereof, duly authorized for the purposes hereof by resolution of the board of Directors thereof, hereinafter called : " The Company,"

## WITNESSETH:

1. That, subject to the ratification of the Legislature of the said province of Quebec, as hereinafter provided, the government hath sold, transferred and assigned, and by these presents doth sell, transfer and assign, to the company, accepting thereof as aforesaid, that portion of the railway now known as the Quebec, Montreal, Ottawa and Occidental Railway, laying between Montreal and Aylmer, both inclusive, with the branch and bridge into the city of Ottawa, and the branch to the town of St. Jérôme; together with all lands, property, rights and privileges thereto appertaining, or held, or acquired by the said government, for the purposes of the said portion of the said railway, or incidental thereto, or in connection therewith; comprising also all the tools, implements, machinery and movables of all descriptions now in use in running and carrying on the business of the said portion of the said railway as a going concern, exclusive of stores and supplies. But reserving, from the said lands and property, the property in the city of Montreal, known as the Bellerive property, being number 1593 of the cadastral plan and book of reference of the St. Mary's ward of the city of Montreal; and the North-half of the property known as the Macdonald property, being number 615 of the said cadastral plan. And including, among the lands and property hereby conveyed, that portion of the property known as number 1,581 of the said cadastral plan and book of reference, commonly called the Gaol property, where the workshops for the said railway are now being erected; bounded in front by Ste. Catherine street, on one side by Colborne Avenue, on the other side by numbers 1577, 1578 and 1579 of the said cadastral plan, and in rear by the stone wall in rear of the Montreal gaol; and also the property, at Hochelaga, known as the Old Military Hospital, being numbers 149 and 150 of the cadastral plan and book of reference of the incorporated village of Hochelaga. But it is agreed that the said reserve of the said Bellerive property shall be solely and exclusively for the purposes of the remainder of the said railway, and for no other purpose whatever; that the freight sheds of the company shall be erected on the portion of the Macdonald property hereby conveyed to them, and that the said property shall be used exclusively for railway purposes and for no other purpose whatever; also all the rights, privileges and property of the government acquired or held for the purpose of, or in connection with the proposed branch of the said railway to a point of junction with the Grand Trunk Railway, west of the said city of Montreal. The foregoing description being intended to

Sale of the  
Western section  
of the Q.,  
M., O. & O.  
RR., with cer-  
tain branches.

Property re-  
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What is in-  
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include, without specifically naming or describing the same, (under reserves aforesaid), every species of property now held by the government, as in any manner incidental to or connected with the said portion of the said railway, from the terminus thereof on the property known as the Quebec Gate Barracks, in the city of Montreal, inclusive to the termini thereof at Aylmer, Ottawa and St. Jérôme, all inclusive, as well as the said proposed branch.

Portion of  
plant and roll-  
ing stock in-  
cluded in sale.

2. And the Government hath also sold, transferred and assigned, and doth hereby sell, transfer and assign to the company accepting thereof as aforesaid, a proportion of the plant and rolling stock now upon the Quebec, Montreal Ottawa and Occidental Railway of the value of \$450,000, according to the prices appended thereto in the Schedule thereof, herein annexed; and also railway supplies and stores of the value, at the cost price thereof, of \$80,000. The said plant and rolling stock to be taken from the existing plant and rolling stock of the said railway, of average quality and in fair proportions of each of the kinds detailed in the said schedule; and such stores and supplies to be taken in similar proportions and of like quality, out of the stores and supplies now held by the Government for the purposes of the said railway. And if the parties

Arbitration in  
case parties  
disagree.

hereto are unable to agree as to the proportions in which the said plant, rolling stock, stores and supplies, shall be taken by them respectively, or as to the quality thereof, any dispute or difference respecting the same shall be adjusted by the mechanical superintendents of the Government and of the company; who, if they differ, shall have power to name a third person as umpire; and in that case the decision of the majority of them shall be final.

Continuation  
of certain  
works.

3. And it is further agreed between the parties hereto, that the several works of construction now being executed in and near the city of Montreal for the purposes of the said railway, including a double track into the Quebec Gate Barracks' Station, shall be continued and completed by the government under the existing contracts therefor, and in accordance therewith, in so far as they have been contracted for, and if not contracted for, then in a substantial manner; and the government shall also build upon the portion of the Macdonald property, hereby conveyed, a freight shed for the use of the company, to be of the dimensions of 40 feet by 400 feet, to cost not less than \$10,000, the plan of which shall be approved by the company.

Government to  
build freight  
shed on the  
Macdonald  
property.

Station to be  
built by Com-  
pany at Que-  
bec Gate Bar-  
racks.

And a station shall be constructed by the company upon the said Quebec Gate Barracks' property, within one year from the date hereof, at a cost of at least \$60,000. And the company will pay to the government, out of the purchase

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money hereafter mentioned, the sum of \$240,000, as a consideration for causing the said contract to be performed and the said freight shed to be built, which payments shall be made as the works proceed; and they shall be allowed to reserve out of the said purchase money the said sum of \$60,000 for the said station.

4. And it is further agreed between the said parties hereto, that a branch of the said railway shall be constructed from a point on its main line to the northward of Mile End Station, to a point of junction with the Grand Trunk Railway between Dorval Station and Montreal, such points of junction to be selected by the company; on which branch there shall be expended, under the direction and supervision of the company, out of the price and consideration hereinafter mentioned, the sum of \$100,000; which construction in consideration of the said sum, the company hereby undertake to make and complete, of the standard of the remainder of the said railway, and within one year from the date hereof.

Payment by  
company for  
certain works.

Branch bet-  
ween Dorval  
station and G.  
T. R. at Mon-  
treal.

Amount to  
be expended  
therefor.

Branch road  
to be equal to  
rest of road  
and to be  
completed  
within one  
year.

Price and con-  
ditions of sale.

5. The foregoing sale, transfer and assignment, and agreements, are thus made for and in consideration of the sum of \$4,000,000, from out of which the Company shall pay the said sum of \$300,000 for the completion of the said works of construction in and near Montreal, in the proportions above mentioned, and the sum of \$100,000 for the said branch to the Grand Trunk Railway, as the same shall be required, from time to time, for carrying out the said contracts and the other terms and conditions hereof. And also shall pay to the Government the further sum of \$600,000 by annual instalments of \$100,000 each, payable at the end of each and every year, on the first day of March in each year, the first of which payments shall fall due on the first day of March 1883, with interest at the rate of five per cent per annum, payable at the same times as the interest on the remainder of the price as hereinafter provided. And as to the balance of \$3,000,000, the Company agree and bind themselves to pay the interest thereon to the Government at the rate of five per centum per annum semi-annually, on the first days of March and September in each year, commencing on the first day of September next; with the right to the Company to pay the said capital amount of \$3,000,000 to the Government at any time after having given to the Government six months notice of their intention so to pay the same; and with the right to the Government to demand and enforce payment of the said balance of capital, at any time after the expiry of twenty years from the date hereof, on giving six months previous notice of such demand.



**Further conditions.** And the said sale, transfer, assignment and agreements, are thus made and entered into upon the other and further considerations following, viz:

**Eastern terminus of road & passenger station in Montreal.** 6. That, inasmuch as the said acquisition of the said portion of the said railway is now hereby made as an extension of the said Canadian Pacific Railway, the Eastern terminus of the said Canadian Pacific Railway, including the Montreal passenger station thereof, shall be fixed and shall forever remain, at the place known as the Quebec Gate Barracks, in the city of Montreal; unless at any time hereafter the Company shall extend their railway to the city of Quebec, in which case the Eastern terminus thereof shall be fixed at the said city of Quebec; the Montreal passenger station remaining at the said Quebec Gate Barracks.

**Obligation of Government as to St. Charles branch.**

7. And whereas it is of essential importance to the Government and to the Company that a ferry should be established over the river St. Lawrence from the city of Quebec to Point Lévis, and that a branch of the Intercolonial Railway should be constructed from Point Lévis eastward, to be known as the St. Charles Branch, by means whereof trains of cars can be ferried across the river St. Lawrence, and the trains of the said Quebec, Montreal, Ottawa and Occidental Railway and of the Intercolonial Railway can be transferred from one railway to the other and run on each other, without breaking bulk; Therefore, it is hereby further agreed that the Government will use its best endeavors to procure the completion by the Government of the Dominion, of the necessary works for such ferry on the south shore of the said river St. Lawrence at Point Lévi, and of the said branch, with as little delay as possible, and upon obtaining an agreement to that effect from the Government of the Dominion, will, on its own part, complete all the works necessary for the same on the north shore of the said river at Quebec.

**Rates for freight and passengers.**

8. That through freight and passenger traffic shall be carried over both of the said railways and every part thereof, including branches built or to be built, or belonging to or to be acquired by the owners thereof respectively, and also including bridges and tunnels, at the freight and passenger rates established and charged by the Canadian Pacific Railway Company for all traffic carried past the city of Ottawa in either direction, and at rates to be agreed upon, from time to time, between the Government or its assigns and the company for all traffic which is both received and delivered East of the said city. And if the said parties fail to agree thereon, such rates shall be fixed by the Minister of Railways of the Dominion, on the request of either party thereto, after notice to the other.

**Rates to be fixed by Dominion Minister of Railways if parties do not agree.**



And all rates shall be apportioned between the Government or its assigns and the company at a mileage rate, to be calculated *pro rata* according to the distance traversed by such traffic on each of the said railways respectively, without any extra charge for tunnels and bridges; the same rates per mile being charged on such tunnels and bridges as on the remainder of the said railways.

9. That if either party hereto makes arrangements with any other railway company for special rates for freight or passengers carried by its railway to a connection with the railway of such other company, the other party hereto, or its assigns, shall have the benefit of such special rates for its through traffic, in so far as such arrangements can properly be made applicable to such traffic.

10. That the government and its assigns shall give special despatch, equal to the despatch of express trains, to all emigrant trains from the city of Quebec westward, and shall run such trains as special trains on the arrival of ocean vessels bringing such emigrants, whenever the company shall notify and request the government or its assigns to send on such special emigrant trains, and shall be themselves prepared to forward them in like manner. And the government and its assigns shall also give prompt and speedy despatch to all foreign mails destined to be forwarded by the company. And the government and its assigns shall also grant to the company special low rates of freight, not exceeding half a cent per ton per mile for all coal shipped upon its railway at Quebec, to and for the use of the company, without car mileage; the company furnishing their cars without car mileage, and paying car mileage due to any other railway company, for the use of its cars in carrying such coal upon the government railway, but the government not to make any charge for hauling such cars, when empty, over its road.

11. That the company shall grant to the government and its assigns, running powers for ever from St. Martin's Junction, over the line of railway hereby sold, to the city of Montreal and intervening points, but without the right of doing any local business over such portion of railway; except in so far as it may hereafter be mutually agreed between the parties hereto that the government may carry passengers to or from St. Martin's station, from or to Montreal on behalf of the company, upon terms to be fixed by such agreement. And the company shall also allow to the government or its assigns, for the purposes of its said railway, the use, in common with the company, of the passenger stations and platforms at all the stations built or to be built between St. Martin's Junction and Montreal, for the embarkation and disembarkation of passengers;

and also the right to construct a siding to a freight shed and sufficient space for a freight shed, forty feet by two hundred feet, at Mile End Station, and the right of access thereto; and the right of access to the proposed station at the Quebec Gate Barracks, for its passengers and passenger trains, without delay or obstruction, with the exclusive use at the said last-mentioned station, of a booking office, baggage-room and agents' office, and a room for the use of the officers of the railway retained by the government or its assigns, together with the use, in common with the company, of the passengers' waiting-rooms and conveniences appertaining thereto; the whole upon condition that the government and its assigns shall pay a rental of \$5,000 per annum for such use, and shall also contribute to the maintenance in good order of the tracks and sidings of the said railway from St. Martin's Junction to the said Montreal station, in the proportion which the amount of use thereof by the Government and its assigns, calculated by wheelage, bears to the amount of use thereof by the Company, calculated in like manner; and without any further or other change for the privileges hereby granted.

Land to be set aside for use of government at Hochelaga.

And the Company shall also set apart and convey to the Government, at a convenient place at Hochelaga, for the purposes of its railway, a further area of four acres of land to be used for such purposes only, with the right of access thereto, the location thereof to be mutually agreed upon.

Proviso, if double track built by company.

And if at any time hereafter the Company shall determine to build another track, constituting a double track, from St. Martin's Junction, or from the Back River Bridge, to the terminus in the city of Montreal, the Government or its assigns will pay the proportion, calculated yearly according to wheelage, of the interest on the cost thereof at the rate of five per centum per annum.

Warranty against charges, &c.

12. And it is hereby further agreed that the Government makes the said sale, transfer and assignment with warranty against all claims, mortgages, hypothecs, liens and incumbrances on the property hereby sold. But the Company shall be bound to pay the interest upon the purchase money hereby agreed upon, and also the said several instalments making up the said sum of \$600,000, notwithstanding the existence of any charge or incumbrance on the said portion of railway hereby sold, so long as the Company shall not be troubled by the creditor thereof.

Hypothecary security for payment of \$3,600,000.

13. And as security for the payment of the said sum of \$3,600,000, and interest as aforesaid, the company hereby mortgage and hypothecate the said portion of the said railway hereby agreed to be sold, and all the lands, tenements and appurtenances thereof hereby conveyed or intended so to be, and all the plant and rolling stock thereof

as being immovables by destination, and do hereby also further mortgage and hypothecate those two several branches of the said railway, known as the St. Eustache Branch, and the St. Lin Branch, and all the lands, tenements and appurtenances, plant and rolling stock belonging to both said branches, which may be more fully described as follows, namely:—

The said St. Eustache Branch commencing at a point of junction with the portion of railway hereby sold, near the village of Ste. Thérèse, and extending to the station of the said branch in the town of St. Eustache, being about seven and one-half miles in length, with all the property and appurtenances thereof.

And the said St. Lin Branch, otherwise called and known as the Laurentian Railway, commencing at the point of junction thereof with the St. Jérôme Branch of the said Quebec, Montreal, Ottawa and Occidental Railway, near the said village of Ste. Thérèse, and extending about fifteen miles to the terminus thereof in the village of St. Lin, with all the property, rolling stock and appurtenances thereof.

But it is hereby agreed that if the title of the said company to the said St. Eustache Branch, and St. Lin Branch, as the proprietors thereof, be not confirmed and rendered valid by the Legislature of the Province of Quebec, at the Session thereof now about to be held, the foregoing hypothec upon the said branches and their appurtenances shall be *ipso facto* cancelled and annulled; and the company will give such further security for the payment of the said sum of \$600,000, as shall be mutually agreed upon.

14. That, for the purpose of preventing accident and delay, and of ensuring the joint use of the said portion of the said railway lying between St. Martin's junction and the Montreal terminus inclusive, without confusion or obstruction, the running and management of all trains and engines over the said portion of railway, and the conduct of all employees engaged in such running and management, shall be under the exclusive supervision and control of the officers of the company. And the Government shall be responsible for all injury to the railway or bridges, caused by any defect in its rolling stock or machinery, or by neglect or malice on the part of its employees. And if, upon the complaint of the company, it be established that any employee of the Government has been guilty of any disobedience of orders or insubordinate conduct in such running and management, such employee shall either be dismissed from the employ of the Government, or removed in such manner that he shall not be again permitted to perform any duty upon the premises under the control of the company. And on the other hand the company shall be responsible for all delays and accidents caused by neglect

Proviso for further security if title of company to certain branches be not confirmed.

Control of running of trains between St. Martin's Junction and Montreal.

Responsibility of government for injuries &c.

Responsibility of the company

ny for delays &c.	or malice on the part of their employees in the regulation of such running and management.
Siding at Hochelaga to Macdonald property.	15. That for the purpose of connecting the railway with the freight sheds, upon the said Macdonald property, and with the company's workshops in rear of the Montreal gaol, the company shall lay out and construct a branch or siding, from the main line at Hochelaga to the said property, with two tracks thereon, one into the freight shed of the Government and one into the freight shed of the company, with a siding into the said workshops, at the joint expense of the Government and of the company, upon a plan to be agreed upon between the parties hereto, and of the standard of the remainder of the said railway; the parties hereto making the requisite advances for such construction, in the proportion of one-third by the Government or its assigns, and two-thirds by the company as the work proceeds. And the company shall allow a suitable connection to be made by the Government from the main line on the river bank into the said Bellerive property.
How to be paid for.	
Advances for construction how to be made.	
Other siding.	
Maintenance of road in good state of repair &c.	16. The company shall maintain the railway, hereby sold, in good and efficient order and repair, and shall regularly and efficiently run the same, with a sufficient number of trains per day to carry the freight and passenger traffic with due regularity and despatch, running at least one passenger train per day each way. And if at any time, before the payment of the said balance of the said price, the company shall allow the said railway or rolling stock to fall into disrepair, they shall be bound to repair the same and to replace the same in as good order and condition as at present, within thirty days after receiving notice from the Government so to do. And if any dispute should arise as to the fact of such disrepair or as to the sufficiency or the repair thereof, such dispute shall be referred to the arbitration and award of three disinterested persons, one of whom shall be named by each of the parties hereto, and the third by the Minister of Railways of the Dominion Government. And if the company shall fail to make good such disrepair within the said period, or in case of dispute, in conformity with the award of such arbitrators, the delay hereby granted for the payment of the said sum of \$600,000, or any portion thereof then unexpired, shall be <i>ipso facto</i> forfeited, and the company shall forthwith pay to the Government the whole of the said last mentioned sum, or any part thereof which shall then remain unpaid, with all interest thereon.
Company to repair road, &c. after notice.	
Arbitration in case of disagreement.	
Effect of default to repair &c.	
Effect of default to pay interest, at time stipulated.	17. If, at any time, the Company should make default for thirty days in payment of the interest due under the terms hereof, the delay hereby granted for the payment of the capital producing such interest shall be <i>ipso facto</i> forfeited; and the company shall be thereupon bound to pay to the

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Government the full amount of such capital, with all interest accrued thereon.

18. The Company shall maintain and carry out all traffic Existing con-  
contracts hitherto made by the Government, according to tracts &c., to  
their terms, and all free passes for the current year issued be carried out  
by the Government and now in force, a list of which con- and passes to  
tracts and passes shall be furnished by the Government to be good.  
the Company, on or before the date at which this agree-  
ment shall come into full force and effect. And the Com- Present em-  
pany shall abstain, as far as shall in their opinion be con- ployees to con-  
sistent with the efficient working of the railway, from tinue in ser-  
disturbing or removing the employees of the Government, vice of road.  
heretofore engaged upon the portion of the said Railway  
hereby sold, without reasonable notice or compensation ;  
and the employees of the Government, who shall have been  
heretofore engaged in the running and management of the  
entire line, shall be dealt with in such a manner as shall  
be mutually agreed between the Government and the com-  
pany, and with reasonable regard to their positions and  
interests.

19. Upon the demand of the company, and at their ex- Additional  
pense, the government shall, from time to time, hereafter, deeds &c.,  
make, execute and deliver to the company such good and to be given  
valid deeds of conveyance as any of the immoveable prop- if required.  
erties hereby sold, transferred and assigned, or intended  
so to be, as shall be considered needful, under the advice  
of counsel learned in the law, for the complete and valid  
conveyance of such properties to the company.

20. And it is hereby finally agreed that this agreement Agreement  
is thus made subject to the approval and confirmation of subject to  
the Legislature of the Province of Quebec at its next ratification by  
session, and shall take effect upon such approval and the Legislature.  
confirmation ; and the government hereby agree to lay the  
same before the said Legislature at the earliest convenient  
day ; and to place before the said Legislature such a mea-  
sure as may be requisite fully and finally to confirm this  
agreement, and to render the same valid and effectual in  
law in all its details.

In witness whereof, the parties hereto have executed  
these presents in duplicate at Montreal, in the Province of  
Quebec, the day and year first above mentioned.

In the presence of

J. J. C. ABBOTT, ( J. A. CHAPLEAU,  
D. McINTYRE,  
L. A. SÉNÉCAL, ( R. B. ANGUS,

(Corporate Seal  
of the  
C. P. R. Co.)

C. DRINKWATER,  
Secretary C. P. R. Co.

*Schedule referred to in the annexed Agreement.*

STATEMENT of rolling stock, such as locomotives, passenger and freight cars, snow-ploughs, flangers, &c., compared with what it was in March, 1880; also, showing whether the addition to old stock was purchased or manufactured in our own shops.

DECEMBER, 1881.

CLASS OF CARS.	Stock, March, 1880.	Built in Q., M., O. & O. Railway Shops.	Purchased.	Total Number, 1881.	Present Value Each.	Total Value.
<i>Passenger Cars.</i>						
Official Car (new).....		1		1	\$12,000	\$12,000
Paymaster's Car .....	1			1	3,500	3,500
Palace and Sleeping Cars.....		2		2	13,225	26,450
Sleeping " .....		2		2	9,000	18,000
Palace " .....	2	2		4	7,000	28,000
First Class " (See Note 1) .....	14			12	4,000	48,000
Second Class " .....	12	4		16	2,225	35,600
Baggage " .....	8			8	2,200	17,600
Baggage & Smoking " .....	7			7	600	4,200
Through Baggage and Express Cars.....		4		4	650	2,600
Excursion Cars.....				10	1,080	10,800
Street Car.....			1	1	600	600
						\$207,350

## NOTE.

No. 1.—First Class Cars Nos. 13 and 14 taken to make Sleeping Cars "Quebec" and "Ottawa," making two less in 1881 than in 1880.



Schedule referred to in the annexed Agreement.

STATEMENT of rolling stock, such as locomotives, passenger and freight cars, snow-ploughs, flangers, &c., compared with what it was in March, 1880; also showing whether the addition to old stock was purchased or manufactured in our own shops.—(Continued.)

DECEMBER, 1881.

CLASS OF CARS.	Stock March, 1880.	Built in Q. M. O. & O. Railway Shops.	Purchased.	Total number, 1881.	Present Value Each.	Total Value.
<i>Freight Cars.</i>						
Box Cars (See Note 2.) .....	151	92	223	466	650	\$302,900
Platform Cars .....	302	22	10	334	500	167,000
Hay Cars (temporary from flats) .....			90	90	625	56,250
Cattle Cars .....	19			19	500	9,500
Brake Vans .....	2	6		8	850	6,800
Tool Cars .....	1	2		3	550	1,650
Tank Car .....	1			1	700	700
Flangers .....	2	4		6	900	5,400
Snow-ploughs .....	8				1,500	12,000
" (iron, for front of locomotives) .....				12	32	384
						\$602,584
Total value of Pass'r & Freight Car.s.....						\$760,935
Locomotives.....				36	7,700	\$277,200
Calumet Ferry Engine.....				1	1,500	1,500
						\$278,700
Grand Total of Rolling Stock .....						\$1,048,634

A. DAVIS.

No. 2.—Box Car No. 200 destroyed by fire, October, 1881, at Buckingham; No. 212 destroyed by fire at St. Martin Junction, November, 1881; Nos. 215, 218 and 249, not traced, which accounts for discrepancy of 5 in the total.

The foregoing is the Schedule referred to in the annexed Agreement.  
Montreal, 4th March, 1882.



## APPENDIX B.

This Agreement, made in duplicate this thirteenth day of March eighteen hundred and eighty two, between the Laurentian Railway Company, a body politic and corporate, duly incorporated, herein represented by Louis Adelard Senecal, the president thereof and the Canadian Pacific Railway Company, a body politic and corporate, duly incorporated by Letters Patent of the Dominion of Canada, —acting herein by Duncan McIntyre and Richard B. Angus, vice-presidents thereof, the said Louis Adelard Senecal being duly authorized for the purposes thereof by resolutions of the Board of Directors of the said Laurentian Railway Company, and of the shareholders thereof respectively, and the said Duncan McIntyre and Richard B. Angus being hereto duly authorized by a resolution of the Board of Directors of the said Canadian Pacific Railway Company,

Witnesseth :

Sale of Laurentian Railway to Canadian Pacific Railway Company with warranty as to title. 1. That, subject to the ratification of the Legislature of the Province of Quebec, as hereinafter provided, the said Laurentian Railway Company have sold, transferred and assigned, and by these presents do sell, transfer and assign, with warranty of title and against all mortgages, hypothecs or incumbrances whatever, to the Canadian Pacific Railway Company, accepting thereof as aforesaid, the whole of their Railway from the junction of Ste. Thérèse, on the St. Jérôme Branch of the Quebec, Montreal, Ottawa and Occidental Railway, to its actual terminus in the town of St. Lin, in the district of Joliette, with all and every the appurtenances, lands, tenements, buildings, stations, station-grounds, plant, stores, supplies, tools and rolling stock, actually belonging to or being the property of the said Laurentian Railway Company, as they now are and exist, and with which the said Canadian Pacific Railway company hereby declare themselves to be content and satisfied.

Consideration for and conditions of sale.

2. The said sale, transfer and conveyance is made for and in consideration of the redemption by the said Canadian Pacific Railway Company of the bonds or debentures issued by the said Laurentian Railway Company up to the present date, amounting to the sum of three hundred thousand dollars, together with all the coupons now remaining unpaid or unredeemed by the company. The said Laurentian Railway Company hereby declaring that no more than three hundred thousand dollars in amount of such bonds or debentures have been issued by them up to the date hereof.

8. The said Canadian Pacific Railway Company hereby also bind themselves, in consideration of the said sale, to maintain the said railway hereby sold in good and efficient order and repair, and to regularly and efficiently run the same with a sufficient number of trains per day to carry the freight and passenger traffic thereof, with due regularity and despatch, running at least one passenger train per day, each way.

And whereas the said Laurentian Railway Company have, for a long time past, put in operation and maintained a line of railway from the parish of St. Lin through the parish of Ste. Anne des Plaines to the place called Hochelaga, near the city of Montreal, by effecting a junction with the railway heretofore called the Montreal Northern Colonization Railway, and afterwards acquired by the Government of the Province of Quebec, and since known as the Quebec, Montreal, Ottawa and Occidental Railway, the said Canadian Pacific Railway Company also hereby bind and oblige themselves to continue and maintain the junction of the said Laurentian Railway with the said Quebec, Montreal, Ottawa and Occidental Railway, such junction being upon the portion thereof lately acquired by the said Canadian Pacific Railway Company.

4. It is hereby further agreed that this agreement is thus made subject to the ratification thereof by the Legislature of the Province of Quebec at its present Session, and that the said Laurentian Railway Company, in procuring from the Legislature of Quebec the ratification of these presents, will also procure the insertion of a clause in the Act effecting such ratification, by which it shall be provided that the said Canadian Pacific Railway Company shall be vested, with the said Laurentian Railway, free and clear of all liabilities in favor of any person or body whomsoever, save and except the consideration of the present deed, leaving to such persons or bodies their rights and claims respectively against the said Laurentian Railway Company; the said last named company undertaking to discharge all such claims to the exoneration and discharge of the said Canadian Pacific Railway Company.

5. It is hereby further agreed that these presents shall have full force and effect so soon as the legislation mentioned in the last preceding section shall be obtained; but that these presents shall become null and void unless the said legislation, confirming these presents and vesting the said property in the company free and clear of all charges thereon, shall be obtained from the said Legislature during its present Session, and also unless an Act of the said Legislature, confirming the sale to the said Canadian Pacific Railway Company of the said portion of the Quebec, Mont-

obligation to  
keep road in  
good order.

Continue run-  
ning road from  
St. Lin to Ho-  
chelaga.

Sale subject to  
be confirmed  
by Legisla-  
ture.

And to take  
effect only  
when ratified.

And when sale  
of Western  
section of Q., M.  
O. & O. R.,  
also ratified.

real, Ottawa and Occidental Railway, be passed during the said Session thereof.

In testimony whereof the said parties hereto have executed these presents at Montreal, the day and year first above mentioned :

In the presence of

J. J. C. ABBOTT.

[L.S.]

Laurentian Railway Company,  
by

L. A. SÉNÉCAL,  
President.

The Canadian Pacific Railway  
Company, by

D. McINTYRE,  
Vice-President.

R. B. ANGUS,  
Vice-President.

C. DRINKWATER,  
Secretary.

#### APPENDIX C.

This agreement, made in duplicate this thirteenth day of March, eighteen hundred and eighty-two, between the St. Eustache Railway Company, a body politic and corporate, duly incorporated by letters-patent of the Province of Quebec, and the Canadian Pacific Railway Company, a body politic and corporate, duly incorporated by letters-patent of the Dominion of Canada, the said St. Eustache Railway Company acting hereby by Jean-Baptiste Renaud, Esq., the President thereof, duly authorized for the purposes hereof by a resolution of the board of directors of the said last mentioned company, and the said Canadian Pacific Railway Company, acting hereby by Duncan McIntyre and Richard B. Angus, Vice-Presidents thereof, duly authorized for the purposes hereof by a resolution of the board of directors of the said company.

#### WITNESSETH :

Sale of St.  
Eustache Rail-  
way to Pacific  
Railway com-  
pany with war-  
ranty as to title  
&c.,

1. That, subject to the ratification of the shareholders of the said St. Eustache Railway Company and also to the ratification of the Legislature of the Province of Quebec, as hereinafter provided, the said St. Eustache Railway Company hereby sell, transfer and assign to the said Canadian Pacific Railway Company, accepting thereof, the whole of their railway, from the junction thereof at St.

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SÉNÉCAL,  
President.  
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INTYRE,  
e-President.  
ANGUS,  
e-President.

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to the said  
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hereof at Ste.

Thérèse with the Quebec, Montreal, Ottawa and Occidental Railway, to its actual terminus in the village of St. Eustache, in the district of Terrebonne, with warranty of title and against all mortgages, hypothecs, charges and incumbrances whatever; and with all and every the property, lands and tenements and the appurtenances thereof, actually belonging to or being the property or in possession of the said St. Eustache Railway Company, as they now are and exist.

2. The said sale, transfer and conveyance is made for and in consideration of the sum of fifty thousand dollars, to be paid after the ratification of these presents, as hereinbefore stipulated, and immediately upon the final completion of the construction of the said Railway, of the same quality and standard of the main line of the said Quebec, Montreal, Ottawa and Occidental Railway, with all fencing and other requisite appurtenances, but without equipment.

Considerations for and conditions of sale.

3. The said Canadian Pacific Railway Company shall have the power to continue the said line of railway from St. Eustache, where it now ends, to a point in the parish of St. Joseph at or near the intended Gravel Pit.

Power of company to continue road to St. Joseph.

4. The said Canadian Pacific Railway Company hereby bind themselves to maintain the said road in good repair and to run the same regularly and efficiently with a sufficient number of trains every day to carry the freight and passenger traffic with due regularity and despatch, running at least one passenger train every day each way.

Road to be kept in good order by company.

5. It is hereby agreed that this agreement is thus made subject to the approval and confirmation of the shareholders of the said company and also of the Legislature of the province of Quebec at its present session; and the said St. Eustache Railway Company, in procuring from the Legislature of Quebec the ratification of these presents, will also procure the insertion of a clause in the act effecting such ratification, by which it shall be provided that the said Canadian Pacific Railway Company shall be vested with the said St. Eustache Railway, free and clear of all liabilities in favor of any person or body whomsoever, save and except the consideration of the present deed, leaving to such persons or bodies their rights and claims respectively against the said St. Eustache Railway Company. The said last named company undertaking to discharge all such claims to the exoneration and discharge of the said Canadian Pacific Railway Company.

Sale made subject to approval by Legislature.

And on condition that property will be clear of all charges, &c.

6. It is hereby further agreed that these presents shall have full force and effect, so soon as the legislation mentioned in the last preceding section, shall be obtained; but that these presents shall become null and void unless the said legislation, confirming these presents and vesting the

And to take effect only after such ratification.

said property in the company free and clear of all charges thereon, shall be obtained from the said Legislature during its present session, and also unless an act of the said Legislature, confirming the sale to the said Canadian Pacific Railway Company of the said portion of the Quebec, Montreal, Ottawa and Occidental Railway, be passed during the said session thereof.

And also ratification of sale of Western section of Q., M., O. & O. R. to company.

In testimony whereof, the said parties hereto have executed these presents at Montreal, the day and year first above mentioned.

In the presence of	St. Eustache R. R. Co.
"A. C. WÜRTELE"	by "J. B. RENAUD," President,
	The Canadian Pacific Railway Company, by
	"D. MCINTYRE," Vice-President.
	"R. B. ANGUS," Vice-President.
[L. S.]	
	"C. DRINKWATER," Secretary C. P. R. Co.

CAP. XX.

An Act to order and confirm the sale of that portion of the Quebec, Montreal, Ottawa and Occidental Railway, known as the Eastern Section, and extending from St. Martin's Junction to the City of Quebec.

[Assented to 27th May, 1882.]

Preamble.

**W**HEREAS the government of the province of Quebec has entered into a contract for the sale and permanent working of that portion of the Quebec, Montreal, Ottawa and Occidental Railway, known under the name of the Eastern Section, extending from St. Martin's junction to the city of Quebec inclusively, which contract, bearing date the fourth day of March, one thousand eight hundred and eighty-two, as well as the appendix thereto, have been submitted to the Legislature to be ratified, and whereas it is expedient to approve and ratify the said contract and to make provisions for the carrying out of the same: Therefore, Her Majesty, by and with the advice

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said Legis-  
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R. R. Co.

ENAUD,"  
President.  
c Railway

NTYRE,"  
-President.  
ANGUS,  
-President.

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l Railway,  
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y, 1892.]

of Quebec  
and perma-  
Montreal,  
the name  
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tified, and  
e said con-  
ng out of  
the advice

and consent of the Legislature of Quebec, enacts as fol-  
lows :

1. The said contract, a copy of which, with its appendix, <sup>Contract ap-  
is hereto annexed, is hereby approved and ratified, and the</sup> <sup>proved and  
government is authorized to perform and carry out the</sup> <sup>ratified.</sup>  
conditions thereof, according to their purport and tenor.

2. For the purpose of incorporating the persons men-  
tioned in the said contract and those who shall be asso-  
ciated with them in the undertaking and of granting to  
them the powers necessary to enable them to carry out the  
said contract, according to the terms and conditions  
thereof, the lieutenant-governor may grant to them in con-  
formity with the said contract, under the corporate name of <sup>Name of the  
corporation.</sup>  
the : "North Shore Railway Company," a charter confer-  
ring upon them the franchises, privileges and powers em-  
bodied in the appendix to the said contract and to this act  
annexed, and such charter being published in the *Quebec  
Official Gazette*, with any Order or Orders in Council relat-  
ing to it, shall have force and effect as if it were an act of  
the legislature of Quebec, and shall be held to be an act of  
incorporation within the meaning and tenor of the said  
contract.

3. Upon the organization of the said company and the <sup>Possession and  
deposit by them, with the government, of five hundred</sup> <sup>right of work-  
thousand dollars in cash, on account of the price of sale,</sup> <sup>ing certain  
and in consideration of the completion and perpetual and</sup> <sup>part of the Q.,  
efficient operation of the railway and its branches by the</sup> <sup>M., O. & O. R.  
said company, as stipulated in the said contract, the govern-</sup> <sup>transferred to  
ment may transfer to the said company the possession of</sup> <sup>the company  
and right of working that portion of the railway, known</sup> <sup>upon the exe-  
under the name of the Eastern section, and extending from</sup> <sup>cution of cer-  
St. Martin's Junction to the city of Quebec inclusively, as</sup> <sup>tain condi-  
well as the branches, as described in the said contract;</sup> <sup>tions.</sup>  
and the said portion of the road and its branches, as well  
as all the lands and properties mentioned in the contract,  
notwithstanding that such lands and properties are not  
described by meets and bounds or under their cadastral  
numbers, in accordance with the civil code, shall become  
and afterwards remain the exclusive property of the com-  
pany, the whole nevertheless upon the terms and condi-  
tions and subject to the restrictions and reservations stipu-  
lated in the said contract.

4 The privilege of *bailleur de fonds*, for securing the <sup>Privilege of  
payment of the balance of the price of the sale, in capital</sup> <sup>bailleur de  
and interest, and the special hypothec for five hundred</sup> <sup>fonds for pay-  
ment of the ba-</sup>



lance of the price of sale and special hypothec for \$500,000 declared valid and binding &c.

thousand dollars created in favor of the Government of the Province of Quebec by clause 20 of the said contract, are, hereby, declared valid and binding on the said company with the same effect and to the same extent, with regard to the property thus hypothecated and charged, as if the same had been described in the said deed by meets and bounds, or by the cadastral numbers thereof, in conformity with the provisions of the Civil Code of Lower Canada; and the rank and priority of the Government of the said Province, as privileged and hypothecary creditor of the said railway and its appurtenances and of the said immovable property conveyed to the said railway, shall be preserved with the same effect and in the same manner as if the said agreement had been duly registered, upon the day of the passing of this act, against the said railway and other immovable property, in each of the Registry Offices of the several registration divisions, wherein the said railway and property or any portion thereof are situated, in conformity with the provisions of the Civil Code of Lower Canada, at the date of the said agreement.

Discharge of mortgage for \$500,000 given upon the execution of certain works.

5. Whenever the company shall, in execution of the said contract, have constructed works to the amount of two hundred thousand dollars to the satisfaction of the lieutenant-governor in council, a discharge of the mortgage for five hundred thousand dollars, mentioned in the said contract, shall be given on the part of the government, by notice to that effect in the *Quebec Official Gazette*, and such notice shall have the effect of cancelling such hypothec.

Similar discharge whenever a payment is made on account of the price of sale.

Whenever a payment shall be made on account of the price of the sale by the said company, the provincial treasurer shall give notice in the *Quebec Official Gazette*, which shall also have the effect of partially or totally cancelling the hypothec as the case may be, for all lawful purposes.

Additional preamble.

6. And whereas, by clauses 16 and 17 of the contract, the government cedes to the company all its rights against the cities of Three Rivers and Quebec, arising from their respective subscriptions of one hundred thousand dollars and one million dollars, and it is expedient to establish certain provisions on the subject, it is further enacted as follows:

When the debentures of the city of Three Rivers shall become exigible.

The debentures of the city of Three Rivers shall be exigible by the company only after the execution of the works mentioned in clause 16 of the contract; but it shall be lawful for the city of Three Rivers and the company to agree upon the amount of the debentures to be delivered, after fulfilment of any of the three obligations mentioned in the said clause 16.



7. Notwithstanding clause 17 of the contract, it shall be lawful for the government to enter into agreements with the city of Quebec, respecting its subscription to the North Shore Railroad, and, in such case, the company shall not be held to the obligations nor benefit by the advantages mentioned in the said clause 17, and shall also be relieved from the performance of the works for the completion of St. Andrew street, the extension of the line to deep water on the "Louise Embankment," and the changing of the line on Prince Edward street. But such agreements shall be entered into within the three months next after the passing of this act, and at the expiration of such delay, if no agreements have been entered into, the said clause 17 shall have its full effect.

Power of the government to enter into agreements with the city of Quebec respecting its subscription.

Limitation of time to enter into such agreements.

8. This act shall come into force on the day of its sanction.

Act in force.

CONTRACT BETWEEN THE PROVINCE OF QUEBEC  
AND THE NORTH SHORE RAILWAY  
SYNDICATE.

On the fourth day of the month of March, one thousand eight hundred and eighty-two, in the city of Montreal, by the present document signed in duplicate,—

Her Majesty the Queen, acting for and on behalf of the Province of Quebec, by the Hon. J. A. Chapleau, Premier and Commissioner of Railways of this Province, hereinafter styled the Government, and the Hon. Thomas McGreevy, of the city of Quebec, Alphonse Desjardins, of the city of Montreal, Alderic Ouimet, of the city of Montreal, all three Members of the House of Commons of Canada, and Louis Adélaré Sénécal, of the city of Montreal, gentleman, hereinafter styled the Syndicate, have entered into the following agreements, subject to their being ratified by the Legislature of the Province of Quebec, as hereinafter provided.

1. The government sells, with warranty against all troubles, hypothecs, evictions and hindrances whatsoever unto the Syndicate, thereof accepting :

Sale of Eastern section of Q., M., O. & O. railway with certain branches.

That portion of the railway now known as the Eastern Section of the Quebec, Montreal, Ottawa and Occidental Railway, from the Junction at St. Martin of such Eastern Section with the Western Section of the said road, sold by the Government to the Canada Pacific Railway, by contract passed this day (the fourth of March, one thousand eight hundred and eighty-two), to the terminus of such Eastern Section in the city of Quebec ;

The branches of the said road, known under the names of the "Piles," "Joliette" and "Berthier" branches and the "Three Rivers Loop line;" the first of these branches, the Piles Branch, extending from its junction with the Railway so sold, at about two miles from the city of Three Rivers to its terminus at the place called Grandes Piles; the second, that of Joliette, from the village of Lanoraie, in the district of Joliette, to its terminus at St. Félix de Valois; the third, that of Berthier, from the Railway Station at Berthier, in the district of Richelieu, to its terminus in the Town of Berthier; the fourth, namely, the Three Rivers Loop Line, including the two lines which run from the Railway to the Port of Three Rivers.

Property included therein

2. In the present sale are included:—
- a. The old Government Fuel Yard at Quebec, designated on the Cadastre of Saint Peter's Ward, as number 1,950;
  - b. The land which now belongs to the Government at the place known as Hare Point, in or near the city of Quebec, designated on the Cadastre of St. Roch's Ward, as numbers 1, 2, 3 and 4;
  - c. The land, situated in the city of Montreal, known as the "Bellerive property," designated on the Cadastre of St. Mary's Ward, of the city of Montreal, as number 1593;
  - d. The south half of the property, situated in Montreal, known under the name of the "McDonald property," designated on the Cadastre of St. Mary's Ward, of the city of Montreal, as number, 615;
  - e. A lot of land, situate at Hochelaga, four arpents in superficies, which the Canada Pacific Railway Company is to hand over to the government in virtue of the contract aforesaid;
  - f. All the grounds, stations, buildings, wharves, telegraph lines, &c., &c., appertaining to the railways hereby sold;
  - g. The plant now in use, and the rolling stock appertaining to the Quebec, Montreal, Ottawa and Occidental Railway and its branches, less such portion of the plant and rolling stock as is to be delivered to the Canada Pacific Railway Company, in virtue of the deed of sale to it by the Government;
  - h. All the property and effects belonging to the Government now in the store houses, on the line and on the grounds of the Quebec, Montreal, Ottawa and Occidental Railway, less what may belong to the Canada Pacific Railway Company, in virtue of the aforesaid deed of sale.

Description not liminary.

3. The above enumeration is not liminary, the intention of the parties being to include in this contract everything appertaining to the Quebec, Montreal, Ottawa and Occidental Railway, and accessory thereto, less what has been sold to the Canada Pacific Railway Company.

4. The Government transfers and makes over to the Syndicate, by the present sale, all the rights and privileges hereby sold and transferred, vested in it by law and its other titles of whatsoever nature they may be, and especially all the rights and privileges which the Government has acquired and which are reserved to it by the aforesaid deed of sale in favor of the Canada Pacific Railway Company, the Government hereby subrogating the Syndicate in all such rights and privileges.

Transfers of certain rights and privileges.

5. The Government further binds itself to make every effort to secure for the Syndicate, from the Government of the Dominion, a traffic arrangement for the carriage of goods over the Intercolonial Railway, and also the construction of a branch of the said Intercolonial Railway from the parish of St. Charles to Point Levis, and also the construction by the Federal Government, at Levis, of the wharves, engines, machinery and other works necessary for the establishment of a steam ferry service from Quebec (at the terminus of the Railway hereby sold), to Levis (at the terminus of the aforesaid St. Charles Branch), for the transfer of cars without breaking bulk, and also its contribution to the amount of one-half of the cost and expenses of the required ferry steamers.

Obligation of the Government as to St. Charles branch.

6. On the other hand the Syndicate binds itself to fulfil and carry out, in the place and stead of the Government, and at its own cost, each and every of the obligations, to the performance of which the Government is now held, in the performance of the contract made with the Canada Pacific Railway Company, and especially to carry out the works and constructions, in the city of Montreal and its neighborhood, which the Government has, by the aforesaid contract, bound itself to complete, and the Syndicate shall pay the share of the Government in the branch extending from Hochelaga to the Macdonald property and the Gaol property, and in consideration of the Syndicate undertaking this, the Government hereby transfers to it the two hundred and forty thousand dollars, which the Canada Pacific Railway Company is to pay it for such works.

Obligation of the Syndicate as to certain works in Montreal.

7. The Syndicate binds itself to make and complete the extensions necessary to directly connect the road, which it hereby acquires, with the Intercolonial Railway, and to make and construct, at the Quebec terminus, the wharves, engines, machinery and other works required for establishing the above mentioned Ferry, and, moreover, to contribute one-half of the cost and expenses of the necessary Ferry steamers. Amongst the works which the Syndicate undertakes to perform, are those described and enumerated in schedule A hereunto annexed.

Obligation as to certain works in Quebec.

Obligation as to certain works.

8. The Syndicate takes over the roads, which it hereby acquires, in the state in which they actually are; it binds itself, under the conditions hereinafter set forth, to perform all the works mentioned in schedule B, for repairing and completing the roads, and it further binds itself to constantly keep the said roads in good order.

Number of trains to be run.

9. The Syndicate binds itself to run on the railways, hereby sold, as many trains as may be necessary to meet the requirements of the traffic, and at least one passenger train over the whole length of the road, in each direction, every day, except Sundays.

Existing traffic contracts, &c., to be carried out by Syndicate.

10. The Syndicate undertakes to carry out all the contracts relating to the traffic on the roads hereby sold, which bind the Government; and the profits accruing therefrom, from and after the handing over of the roads, shall belong to the Syndicate.

Existing passes, &c., to be valid.

11. The Syndicate shall recognize all passes and tickets, which may have been issued by the Government for the current year.

Workshops, &c., to be in Quebec.

12. The locomotive department, the engineers' office, and the workshops, for construction and repairs of the road, shall be in the city of Quebec, and the Syndicate shall retain in its service, so far as the same may, in its opinion, be consistent with the proper working of the road, all the employees now in the service of the Government; and the Syndicate shall not dismiss, without cause, any of the present employees, without giving him at least one month's notice or a reasonable compensation.

Price and conditions of sale.

13. The sale is made for the price of \$4,000,000, on account of which the Syndicate shall pay, on the road being handed over, a sum of \$500,000, and on the balance of \$3,500,000, the Government may, by giving six months' notice to the Syndicate, exact another payment of \$500,000, after the expiration of the year following the first payment, and, at the expiration of five years, from the time the road is handed over, the Government shall have the right, at any time, by giving one year's notice to the Syndicate, to exact the entire payment of the balance then remaining due on the aforesaid price of sale, and, in any case, such balance shall be due and payable at the expiration of twenty years.

Price may be paid at any time after certain notice.

14. The Syndicate may at any time pay up the whole price of sale, by previously giving the Government six months' notice.

Interest upon balance of price of sale.

15. Interest shall be payable on the balance of the price of sale, at the rate of five per cent per annum, from the time the road is handed over, and it shall be payable on the first of March and of September in each year, commencing on the first of September next.

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16. The Syndicate binds itself to perform the necessary work to complete the Three Rivers Loop Line, and also to lay steel rails instead of those now on the Piles Branch, as it may become necessary to renew them, and to establish a line of steamboats between Grandes Piles and La Tuque; but the Syndicate shall not be obliged to fulfil any of these three obligations, until it receives the debentures for the amount of one hundred thousand dollars voted by the city of Three Rivers, the Government for that purpose subrogating the Syndicate in all its rights against the city of Three Rivers.

Completion of  
Three Rivers  
Loop Line by  
Syndicate.

17. The Government transfers and makes over to the Syndicate all its rights against the Corporation of the city of Quebec, in connection with the Quebec, Montreal, Ottawa and Occidental Railway, and undertakes to deliver to it, at the time the roads are handed over, the debentures, which the Corporation of the city of Quebec has given on account of its subscription, to the amount of \$400,000 (every debenture which the Government cannot deliver shall be paid at par). The Government further subrogates the Syndicate in all the rights it may have and claim upon the property, situated in Quebec, commonly called the "Palais property," opposite the property known as the "Government Fuel Yard." In consideration of this transfer, the Syndicate assumes all the obligations of the Government towards the Corporation of the city of Quebec, and further, it binds itself to pay to the Government, at the time the roads are handed over, the sum of \$500,000.

Transfer to  
Syndicate of  
rights of gov-  
ernment  
against city of  
Quebec.

18. In the event of the Syndicate not keeping the said roads or any part thereof or their rolling stock in good order, it shall be bound to do so, and replace everything in good order within a delay of thirty days, after having received notice from the Government. And if it should happen that there was a difference of opinion as to the bad state of the said road or roads or of the rolling stock or as to the repairs to be made, such dispute shall be submitted to the arbitration of three disinterested persons, one of whom shall be named by each of the parties to this contract and the third by the Minister of Railways for the Dominion of Canada. And if the Syndicate should refuse or neglect, during thirty days from such notice, or in the case of dispute, after it has been notified of the decision of the arbitrators, to make the repairs required or ordered, then the delay for the payment of the balance due on the capital shall lapse, and notwithstanding any provision of the present deed, the said balance shall at once become payable in its entirety.

Delay to re-  
pair and put  
road in good  
order.

Effect of de-  
fault.

19. In the event of the Syndicate neglecting or refusing to pay any instalment due on the capital, or any of the

Effect of de-  
fault to pay  
interest, &c.

interest herein stipulated, when the same becomes due, and if such neglect or refusal extends over thirty days, the entire amount of the capital herein stipulated, which shall not then have been paid, shall at once become due and payable.

Hypothecary claim of government for payment of price of sale.

20. The roads, sold and handed over, their dependencies and rolling stock as well as all the property above described and included in the present sale, shall be and remain hypothecated as security for the payment of the price of sale and interest, and in addition to the amount of \$500,000 for the due execution of the works mentioned in Schedules A and B; but this latter hypothec shall cease to exist as soon as work to the amount of \$200,000 shall have been performed to the satisfaction of the Lieutenant-Governor in Council, who shall thereupon grant a discharge from such hypothec.

Syndicate to be incorporated by Legislature.

21. The Syndicate shall be constituted an incorporated company at the next session of the Legislature of the Province of Quebec, with all the powers required to enable it to carry out the present contract. This is a condition *sine qua non*. And from and after the incorporation of the company all the rights and privileges hereby conferred upon the Syndicate, shall belong to the company which shall thenceforward be subject to all the obligations assumed by the Syndicate, and from that moment, the individual responsibility of its members shall cease to exist.

Contract to be submitted to Legislature.

22. The Government binds itself to submit the present contract to the Legislature of Quebec, at its next Session, for its approval.

And the parties have signed.

## SCHEDULE A.

(Approximate Estimates.)

Works required to connect the Q. M. O. & O. Railway with the Intercolonial, and for the Steam Ferry Service :—

1. Purchase, lease or construction of wharves (those now in use cost \$6,500 per annum)	
say a capital of .....	\$ 130,000
2. Works upon wharves, sheds, switches, &c..	30,000
3. One-half the cost of ferry steamers and accessories.....	90,000
	<hr/>
	\$ 250,000



SCHEDULE B.

(Approximate Estimates.)

WORKS IN MONTREAL.

Extension of the line and erection of buildings  
on Bellerive property.....\$ 50,000

GENERAL WORKS.

Ballast for completing line to Quebec..... 38,000

WORKS AT THREE RIVERS.

Including Loop Line, replacing iron rails by steel  
ones on Loop Line and Piles Branch—works  
on wharves—Navigation of St. Maurice from  
Grandes Piles to La Tuque..... 140,000

WORKS AT QUEBEC.

Workshops—finishing St. Andrew Street—exten-  
sion of line to deep water on "Louise Em-  
bankment"—changing the line on Prince  
Edward Street, either by expropriating one  
side of the street or completely changing the  
line and passing on the land known as Hare  
Point.....\$ 225,000

\$ 448,000

(The latter works are comprised in the obligations be-  
tween the Government and the City of Quebec, which the  
Syndicate offers to assume.

The above Schedules A and B, are those referred to in  
the annexed contract.

Montreal, 4th March, 1882.

O. Railway  
Service :—

\$ 130,000  
30,000  
90,000  
\$ 250,000



## APPENDIX OF THE PROCEEDING CONTRACT.

*Constitution of the Company.*

## INCORPORATION.

Certain persons incorporated.

1. Honorable Thomas McGreevy, M.P., Messrs. Pierre V. Valin, M.P., James Gibb Ross, ship-owner, Nazaire Turcotte, importer, Wm. J. Withall, merchant, Guillaume Bresse, manufacturer, Charles Samson, merchant, all of the city of Quebec; William E. Carrier, manufacturer, of the town of Levis; Télesphore E. Normand, Esq., of the city of Three-Rivers; Alphonse Desjardins, M.P., Matthew Hamilton Gault, M.P., Louis Adélaré Sénécal, railway contractor, John McDougall, manufacturer, Victor Hudon, manufacturer, Alexander Buntin, manufacturer, Wilfrid Prévost, advocate, Jean-Baptiste A. Mongenais, merchant, J. Moïse Dufresne, merchant, Jean-Baptiste Renaud, bank director, Guillaume Boivin, manufacturer, David Morrice, merchant, Robert Cowan, manufacturer, all of the city of Montreal; Honorable Bradley Barlow, senator, of the town of St. Albans, Vermont, United States; and R. J. Kimball, banker, and Louis Belloni, mine owner, of the city of New-York, in the State of New-York, United States, with all such other persons and corporations as shall become shareholders in the company hereby incorporated, shall be and are hereby constituted a body corporate and politic, by the name of the "North Shore Railway Company."

Name of corporation.

Capital stock and shares.

2. The capital stock of the Company shall be one million dollars, divided into shares of one hundred dollars each, which shares shall be transferable in such manner and on such conditions as shall be prescribed by the by-laws of the Company.

When contract shall be transferred to company.

3. As soon as the stock of the Company shall have been subscribed, and fifty per centum thereof paid up, and upon the deposit with the treasurer of the province of Quebec of five hundred thousand dollars for the purpose and upon the conditions in the foregoing contract provided, the said contract shall become and be transferred to the Company, without the execution of any deed or instrument in that behalf; and the Company shall, thereupon, become and be vested with all the rights of the purchasers named in the said contract, and shall be subject to, and liable for all their duties and obligations, to the same extent and in the same manner as if the said contract had been executed

Company thereupon invested with certain rights &c.

TRACT.

by the said Company, instead of by the said purchasers ; and thereupon the said purchasers, as individuals, shall cease to have any right or interest in the said contract, and shall not be subject to any liability or responsibility under the terms thereof, otherwise than as members of the corporation hereby created. And upon the performance of the said conditions respecting the subscription of stock, the partial payment thereof, and the deposit of five hundred thousand dollars to the satisfaction of the Lieutenant-Governor in Council, the publication by the Provincial Secretary in the *Quebec Official Gazette*, of a notice that the transfer of the contract to the Company has been effected and completed shall be conclusive proof of the fact.

4. All the franchises and powers necessary or useful to the Company to enable them to carry out, perform, enforce, use, and avail themselves of, every condition, stipulation, obligation, duty, right, remedy, privilege, and advantage agreed upon, contained or described in the said contract, as hereby conferred upon the Company. And the enactment of the special provisions hereinafter contained shall not be held to impair or derogate from the generality of the franchises and powers so hereby conferred upon them.

Powers, &.,  
conferred upon  
company.

## DIRECTORS.

5. Honorable Thomas McGreevy, M. P., Messrs. Pierre V. Valin, M. P., James Gibb Ross, ship-owner, Nazaire Turcotte, importer, Wm. J. Withall, merchant, Guillaume E. Bresse, manufacturer, Charles Samson, merchant, all of the city of Quebec ; William E. Carrier, manufacturer, of the town of Levis ; Télesphore E. Normand, Esq., of the city of Three Rivers ; Alphonse Desjardins, M. P., Matthew Hamilton Gault, M. P., Louis Adélar Senécal, railway contractor, John McDougall, manufacturer, Victor Hudon, manufacturer, Alexander Buntin, manufacturer, Wilfrid Prévost, advocate, Jean-Baptiste A. Mongenais, merchant, J. Moise Dufresne, merchant, Jean-Baptiste Renaud, bank director, Guillaume Boivin, manufacturer, David Morrice, merchant, Robert Cowan, manufacturer, all of the city of Montreal ; Honorable Bradley Barlow, senator, of the town of St. Albans, Vermont, United States ; and R. J. Kimball, banker, and Louis Belloni, mine owner, of the city of New-York, State of New-York, United States, are hereby constituted the first directors of the Company and the majority of the directors, of whom the president shall be one, shall be British subjects. And the board of directors so constituted shall have all the powers hereby conferred upon the directors of the company, and they shall hold office until the first annual meeting of the shareholders of the company.

Power of  
board.

Qualification of directors.	6. Each of the directors of the company, hereby appointed, or hereafter appointed or elected, shall hold at least one hundred shares of the stock of the company. But the number of directors to be hereafter elected by the shareholders shall be such, not exceeding nine, as shall be fixed by by-law of the company. The votes for their election shall be by ballot.
Number of directors.	
How elected.	
Executive committee.	7. The board of directors may appoint, from out of their number, an executive committee, composed of at least three directors, for the transaction of the ordinary business of the company, with such powers and duties as shall be fixed by the by-laws of the company. The president shall be <i>ex-officio</i> a member of such committee.
Its powers and duties.	
Place of business of company. Provide.	8. The place of business of the company shall be at the city of Quebec, but the company may, from time to time, transact its affairs at all such other places as may be necessary, and at which the directors and shareholders may meet, when called, as shall be determined by the by-laws of the company. And the company shall open and keep open at Montreal, continually during office hours, an office where service of process in all judicial or extrajudicial proceedings in connection with all matters arising in the district of Montreal, may be made upon it.
Office of the company at Montreal.	

## SHAREHOLDERS.

First meeting of shareholders.	9. The first annual meeting of the shareholders of the company, for the appointment of directors, shall be held on the first Wednesday in June, one thousand eight hundred and eighty-two, at the office of the company, in Quebec; and the annual general meeting of shareholders, for the election of directors and the transaction of business generally, shall be held on the same day in each year thereafter, at the same place. Notice of each of such meetings shall be given by the publication thereof in the <i>Quebec Official Gazette</i> for two weeks, and by such further means, as shall, from time to time, be directed by the by-laws of the company.
Subsequent annual general meetings.	
Notice thereof.	
Special general meetings.	10. Special general meetings of the shareholders may be convened in such manner as shall be provided by the by-laws of the company; and notice of such meetings shall be given in the same manner as notices of annual general meetings, the purpose for which such meeting is called being mentioned in the notices thereof.
Notice thereof.	
Paid directors.	11. The board of directors may employ one or more of their number as paid director or directors, provided always that no person be a director unless he be a holder of at least one hundred shares in the capital stock of the said
Their qualification.	

company, or unless he be not in arrears with respect to any call thereon.

And the said board may also make provision for the remuneration of any executive committee of such directors, for the transfer of stock and of shares, the registration and inscription of the stock, shares and proceedings and the transfer of registered bonds, for the payment of dividends and interest and for all other matters, authorized by the said contract or by this act. But such by-laws of the company shall have no force or effect after the next ensuing general meeting of the shareholders following the passing of such by-laws, unless they are approved at such meeting.

12. Every municipal council of a municipality which shall, after the passing of this act, grant a bonus, in aid of the said railway or its branches controlled by the company, to an amount of not less than twenty thousand dollars, shall have the right to appoint, every year, a person to be a director of the company in addition to all the other directors authorized by the present act; but such municipality shall not incur any liability by the appointment of such director and shall have no right to vote, on its shares, at the election of directors.

13. At the election of directors under this act, and in the transaction of all business at the general meetings of shareholders, every shareholder shall be entitled to as many votes as he has shares, on which all calls are paid, and at every meeting of the shareholders he may vote by proxy, provided the person holding such proxy be a shareholder of the company.

14. After the first instalment provided for by the present Act, no call upon unpaid shares shall be made for more than twenty per cent.

#### RAILWAY AND TELEGRAPH LINE.

15. The company may lay out, construct, acquire, maintain and work a continuous line of railway of the gauge of four feet eight and one-half inches, which railway shall extend from the place known as St. Martin's Junction, to within the limits of the city of Quebec, as well as on the branches known as the Joliette, Berthier and Piles branches and the Three Rivers loop-line, and also on other branches to be hereafter constructed by the said company; all of which shall be of the gauge aforesaid and on any extension of the main line of railway which may hereafter be built or acquired by the company, which said lines and branches shall constitute the railway hereafter called the "North Shore Railway."

Idem a line of telegraph.

16. The company may construct, maintain and work a continuous telegraph line and telephone lines throughout and along the whole line of the North Shore Railway, purchase, lease or otherwise acquire any other line or lines of telegraph connecting with the line so to be constructed along the line of the said railway, and may undertake the transmission of messages for the public, by any such line or lines of telegraph or telephone, and collect tolls for so doing; or may lease such line or lines of telegraph or telephone, or any portion thereof; and, if they think proper to undertake the transmission of messages for hire, they shall be subject to the provisions of the fourteenth, fifteenth and sixteenth sections of chapter sixty-seven of the Consolidated Statutes of Canada. And they may use any improvement that may hereafter be invented (subject to the rights of patentees) for telegraphing or telephoning, and any other means of communication that may be deemed expedient by the Company at any time hereafter.

#### POWERS.

Application of 43-44 Vict., c. 43.

17. "The Quebec Consolidated Railway Act, 1880," in so far as the provisions of the same are applicable to the undertaking authorized by this charter, and in so far as they are not inconsistent with or contrary to the provisions hereof, and save and except as hereinafter provided, is hereby incorporated herewith.

Certain provisions of said act modified with respect to company.

18. The third and fourth sub-sections of section 22 of the "Quebec Consolidated Railway Act, 1880," shall be subject to the following provisions, namely,—that if, before the completion of the payment of the purchase price of the said railway or for the works under the said contract any transfer should purport to be made of any stock or share in the company, or any transmission of any share should be effected under the provisions of the said sub-section four, to another person, whether or not already a shareholder in the company, and if, in the opinion of the board it should not be expedient that the person to whom such transfer or transmission shall be made or effected should be accepted as a shareholder, the directors may, by resolution, veto such transfer or transmission; and thereafter, and until after the completion or payment of the purchase price of the said railway and of the works under the said contract, such person shall not be, or be recognized as a holder of the shares so transferred in the company; and the original shareholder, or his estate, as the case may be, shall remain subject to all the obligations of a shareholder in the company, with all the rights conferred upon a shareholder under this act. But if the transfer of such shares has been

effected with the consent of the board of directors, the liability of the original shareholder shall cease to exist. But any firm holding paid-up shares in the company, may transfer the whole or any of such shares to any partner in such firm having already an interest as such partner in such shares, without being subject to such veto. And in the event of such veto being exercised, a note shall be taken of the transfer or transmission so vetoed, in order that it may be recorded in the books of the company after the completion of the payment of the purchase price of the said railway and of the works as aforesaid; but until such completion, the transfer or transmission so vetoed shall not confer any rights, nor have any effect of any nature or kind whatever as respects the company.

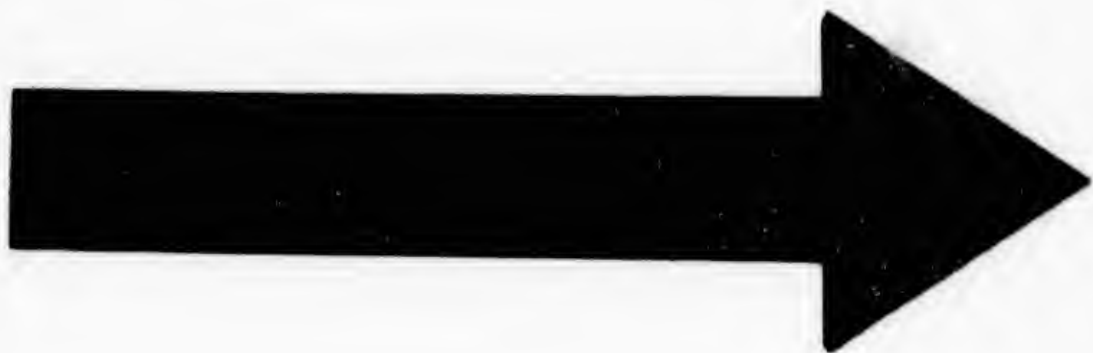
19. The said company shall afford all reasonable facilities to the Lake St. John Railway, the Canadian Pacific Railway, the Intercolonial Railway, and to the Quebec Central Railway Companies, for the receiving, forwarding and delivering of traffic upon and from the railways of the said companies, respectively, and for the return of carriages, trucks and other vehicles.

Obligation of company to grant facilities to certain other railways.

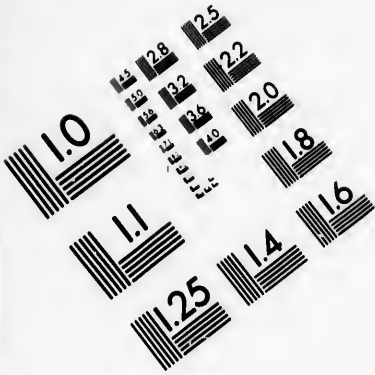
20. The company, under the authority of a special general meeting of the shareholders thereof, and as an extension of the railway hereby authorized to be worked and completed, may purchase or acquire, by lease or otherwise, and hold and operate a line or lines of railway, extending to the eastward of Quebec, on the North Shore of the St. Lawrence or connecting by side lines with the said road on the North Shore of the St. Lawrence, or may acquire running powers over any of the said railways now constructed or to be hereafter constructed; and in particular it shall have the right, without any further legislation, to run its engines and trains and exercise the privileges hereby conferred upon it on that portion of the road sold to the Canadian Pacific Railway Company, from St. Martin's Junction to the Quebec Gate Barracks station in the city of Montreal; and all the engagements and obligations, entered into by the Canadian Pacific Railway Company towards the Government of the Province of Quebec, are hereby confirmed, ratified and made over, in so far as relates to that portion of the road from Quebec to Saint Martin, to the North Shore Railway Company, which may exercise, without any restriction, all the powers conferred by registration upon the government of the province of Quebec, with respect to the line of the said railway between Quebec and Montreal, and amongst others the right of running the railway in a straight line from St. Vincent de Paul to Montreal. And the company shall possess, with regard to any lines of railway so purchased or acquired, and become-

Power of company to acquire and work, &c., certain railways on obtaining consent of shareholders.

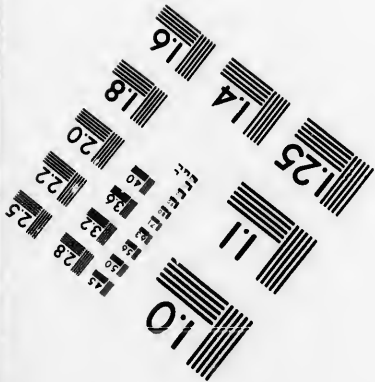
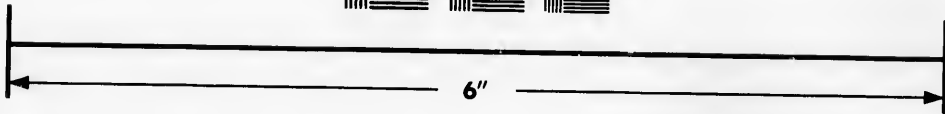
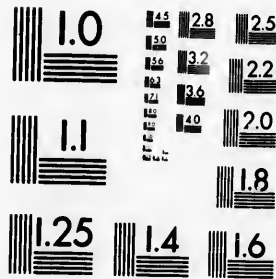
Power of company to issue bonds, &c., respecting







**IMAGE EVALUATION  
TEST TARGET (MT-3)**



**Photographic  
Sciences  
Corporation**

23 WEST MAIN STREET  
WEBSTER, N.Y. 14580  
(716) 372-4503



such extension  
railways.  
Proviso.

ing the property of the company, the same powers as to the issue of bonds thereon, or any of them, as it possesses for its main line, to an amount not exceeding twenty-five thousand dollars per mile. But such issue of bonds shall not affect the right of any holder of mortgages or any other charges already existing upon any other line of railway so purchased or acquired; and the amounts of bonds hereby authorized to be issued upon such line of railway shall be diminished by the amount of such existing mortgages or charges thereon.

Power of com-  
pany to build,  
&c., docks,  
wharves, &c.

21. The company shall have power and authority, in so far as the legislature may confer the same, to erect and maintain docks, dockyards, elevators, wharves, slips and piers at any point at which it may acquire, from competent authority, the use or ownership of lands or works used on the line of the North Shore Railway, or in connection therewith, and at all the termini thereof on navigable waters, for the convenience and accommodation of vessels and elevators; and also to acquire and work elevators and make arrangements for steam and other vessels for cargo and passengers to any point which the North Shore Railway may reach or connect with, and also to run ferry steamers for passengers and traffic in the said province of Quebec, in connection with the said railway, and to make all contracts or agreements with any person or corporation whatsoever, who are hereby authorized to that effect for the objects above mentioned, or otherwise for the advantage of the company.

Acquire, &c.,  
elevators.

Run ferry  
steamers, &c.

## BONDS.

Amount of  
bonds to be  
issued by com-  
pany for cer-  
tain purposes.

22. The company, under the authority of a special general meeting of the shareholders called for the purpose, may issue mortgage bonds to the extent of twenty-five thousand dollars per mile of the North Shore Railway, for the purposes of the undertaking authorized by the present Act; which issue shall, after the privilege of *baillieur de fonds* and the special hypothec created by clause twenty of the said contract, constitute a first mortgage and privilege upon the said railway, constructed or acquired, or which shall be hereafter constructed or acquired, and upon its property, real and personal, acquired and to be hereafter acquired, including rolling stock and plant, and upon its tolls and revenues (after deduction from such tolls and revenues of working expenses), and upon the franchises of the company; the whole as shall be declared and described as so mortgaged in any deed of mortgage as hereinafter provided. And such mortgage and privilege may be evidenced by a deed or deeds of mortgage executed by the

Rank and pri-  
vilege thereof.

How estab-  
lished.

company, with the authority of its shareholders expressed by a resolution passed at such special general meeting; and any such deed may contain such description of the property mortgaged by such deed, and such conditions respecting the payment of the bonds secured thereby and of the interest thereon, and the remedies which shall be enjoyed by the holders of such bonds or by any trustee or trustees for them, in default of such payment, and the enforcement of such remedies, and may provide for such forfeitures and penalties, in default of such payment, as may be approved by such meeting. And such deed, and the provisions thereof made under the authority thereof, and such other provisions thereof as shall purport (with like approval) to grant such further and other powers and privileges to such trustee or trustees and to such bondholders, as are not contrary to law or to the provisions of this Act, shall be valid and binding.

*Contents of deed established same.*

*Validity of deed therefor.*

23. The phrase "working expenses" shall mean and include all expenses of maintenance of the railway, and of the stations, buildings, works and conveniences belonging thereto, and of the rolling and other stock and movable plant used in the working thereof, and also all such tolls, rents or annual sums as may be paid in respect of the hire of engines, carriages or waggons leased to the Company; also, all rent, charges, or interest on the purchase money of lands belonging to the Company, purchased but not paid for, or not fully paid for; and also all expenses of and incidental to working the railway and the traffic thereon, including stores and consumable articles; also rates, taxes, insurance and compensation for accidents or losses; also all salaries and wages of persons employed in and about the working of the railway and traffic, and all office and management expenses, including directors' fees, agency, legal and other like expenses.

*Interpretation of expression: "working expenses."*

24. The bonds, authorized by this Act to be issued upon the railway, may be so issued in whole or in part in the denomination of dollars, pounds sterling, or francs, or in any or all of them, and the coupons may be for payment in denominations similar to those of the bond to which they are attached. And the whole or any of such bonds, may be pledged, negotiated or sold, upon such conditions and at such price as the Board of Directors shall, from time to time, determine. And provision may be made by the by-laws of the Company, that after the issue of any bond, the same may be surrendered to the Company by the holder thereof, and the Company may, in exchange therefor, issue to such holder, inscribed stock of the Company— which inscribed stock may be registered or inscribed at the chief place of business of the Company or elsewhere,

*Bonds to be issued in any currency.*

*Method of sale.*

*Surrender of bonds for inscribed stock.*

owers as to it possesses twenty-five bonds shall or any other of railway so nds hereby ay shall be ortgages or

ority, in so to erect and s, slips and n competent rks used on n connection a navigable n of vessels levators and s for cargo Shore Rail- o run ferry province of nd to make corporation at effect for r the advan-

f a special the purpose, twenty-five railway, for the present f *baillieur de* se twenty of, and privilege. d, or which nd upon its be hereafter nd upon its h tolls and rchises of nd described s hereinafter ge may be euted by the

in such manner, with such rights, liens, privileges and preferences, at such place, and upon such conditions, as shall be provided by the by-laws of the Company.

Deeds, &c.,  
creating mort-  
gage for bonds  
need not be re-  
gistered.

How depo-  
sited.

Effect of de-  
posit.

Effect of de-  
posit of agree-  
ment by com-  
pany with  
bondholders  
upon subse-  
quent trans-  
actions, reso-  
lutions, &c., of  
company.

25. It shall not be necessary, in order to preservé the priority, lien, charge, mortgage or privilege, purporting to appertain to or be created by any bond issued or mortgage deed executed under the provisions of this Act, that such bond or deed should be enregistered in any manner, or in any place whatever. But every such mortgage deed shall be deposited in the office of the Provincial Secretary—of which deposit notice shall be given in the *Quebec Official Gazette*. And in like manner any agreement entered into by the Company, under section 29 of this Act, shall also be deposited in the said office. And a copy of any such mortgage deed, or agreement, certified to be a true copy by the Provincial Secretary or his deputy, shall be received as *prima facie* evidence of the original in all courts of justice, without proof of the signatures or seal upon such original.

26. If at any time, any agreement be made by the Company with any persons intending to become bondholders of the Company, or be contained in any mortgage deed executed under the authority of this Act, restricting the issue of bonds by the Company, under the powers conferred by this Act, or defining or limiting the mode of exercising such powers, the Company, after the deposit thereof with the Provincial Secretary, as hereinbefore provided, shall not act upon such powers otherwise than as defined, restricted and limited by such agreement. And no bond, thereafter issued by the Company, and no order, action or proceeding thereafter made, passed or had by the Company, or by the Board of Directors, contrary to the terms of such agreement, shall be valid or effectual.

#### EXECUTION OF AGREEMENTS.

Contracts, &c.,  
binding upon  
company.

No personal  
liability of

27. Every contract, agreement, engagement, scrip certificate or bargain made, and every bill of exchange drawn, accepted or endorsed, and every promissory note and cheque made, drawn or endorsed on behalf of the Company, by any agent, officer or servant of the Company, in general accordance with his powers as such under the by-laws of the Company, shall be binding upon the Company; and in no case shall it be necessary to have the seal of the Company affixed to any such bill, note, cheque, contract, agreement, engagement, bargain or scrip certificate, or to prove that the same was made, drawn, accepted or endorsed, as the case may be, in pursuance of any by-law or special vote or order; nor shall the party, so acting as agent, officer or

servant of the Company, be subjected individually to any liability whatsoever, to any third party therefor; Provided always, that nothing in this act shall be construed to authorize the Company to issue any note payable to the bearer thereof, or any promissory note intended to be circulated as money, or as the note of a bank, or to engage in the business of banking or insurance.

28. It shall be lawful for the Company, for the purpose of answering writs of attachment by garnishment, to appoint one or more persons, whose names shall be deposited in the prothonotary's office, and who shall be authorized to make in court the declaration required by legal procedure in such cases.

Such declarations shall be made in the office of the prothonotary at Montreal and Quebec alone, and shall be sufficient for all parts of the Province, and whenever such declaration shall be in satisfaction of a judgment rendered in another district, the prothonotary shall forward such declaration to the clerk of the court which issued the writ, and the proceedings shall be deemed complete for all legal purposes whatsoever. Such declarations shall be made in the prothonotary's office in Montreal, for the districts under the jurisdiction of Montreal, in appeal, and at the prothonotary's office in Quebec, for all the districts under the jurisdiction of Quebec, in appeal.

29. If the government and the company cannot agree as to whether work done or materials supplied under the foregoing contract are or are not reasonably in accordance with the provisions of the said contract, or as to any other question of fact, the matter in dispute shall, from time to time, be referred to the decision of three experts, one of whom shall be appointed by the government, another by the company, and the third by the two so selected; and these experts shall decide which of the parties shall pay the costs of the arbitration. And in the event of the two experts being unable to agree upon the choice of a third, the latter shall be appointed, on the application of one of the parties, after notice given to the other party, by a judge of the Superior Court for the province of Quebec. And the decision of the experts or of the majority of them shall be final. Provided always that, in any case, in which the company may be compelled, owing to the non-fulfilment of the said conditions or otherwise, to abandon the working of the railway, no reimbursement shall be made to it, either of the sums already paid by it, in advance or otherwise, either as compensation for such work as it may have performed in accordance with the schedules annexed to the said contract, or for other work done or rolling stock acquired by it, unless the application for such reimbursement

officer of company executing such contract, &c. Proviso.

Appointment of persons to answer upon writs of seizure by garnishment.

Declarations where to be made.

Appointment of experts in event of disagreement between company and government.

Their duties.

Umpire.

Decision final. Proviso as to abandonment of work by company.

be duly submitted to the legislature and be adopted by a vote of two thirds of the Legislative Assembly and by the majority of the Legislative Council.

Deeds of transfer of land; form and manner of executing, registering, &c.

30. Every deed of transfer of land to the company may be in the usual form for such cases and may be fully registered on the affidavit of one of the witnesses to its execution, made before the officers authorised to receive such affidavits, and a deed in such form or drawn up in such sense shall be a legal and valid transfer of the lands and immovables therein mentioned for all purposes whatsoever, and its enregistration shall have the same effect as if it had been passed before a notary; and in order that all such deeds may be duly registered, all registrars, in their respective counties, shall be supplied, by and at the expense of the company, with a book containing copies of the form, one copy to be printed on each page with the necessary blanks for each case of transfer and on the deed being produced, they shall enter and register them without memorial in the said book and minute the entry on such deeds; and the registrars shall exact and receive from the said company for all costs of such registration and over and above the necessary stamps, fifty cents and no more, and the said enregistration shall be considered valid in law, any Act or provision of law to the contrary notwithstanding.

## CAP. XXII.

An Act to impose certain direct taxes on certain commercial corporations.

[Assented to 27th May, 1882.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Taxes imposed upon commercial corporations.

1. In order to provide for the exigencies of the public service of this Province, every Bank carrying on the business of banking in this province, every Insurance Company accepting risks and transacting the business of insurance in this province, every Incorporated Company carrying on any labor, trade or business in this province, every incorporated Loan Company making loans in this province, every incorporated Navigation Company, running a regular line of steamers, steamboats or other vessels in the waters of this province, every Telegraph Company, working a telegraph line or part of a telegraph line in this province, every Telephone Company working a telephone line in this province, every City Passenger or Tramway Company



working a line of railway or tramway in this province, and every Railway Company working a railway or part of a railway in this province, shall, annually, pay the several taxes mentioned and specified in section three of this act, which taxes are hereby imposed upon each of such commercial corporations respectively.

2. The term "Bank" includes Saving Banks; the term "Insurance Company" comprises Fire, Life, Inland, Marine, Interpretation; of certain ex-  
provisions. Guarantee and Accident Insurance Companies, but does not include Mutual Insurance Companies organized under the laws of this province; the term "Incorporated Loan Company" includes Building Societies; and the term "Incorporated Company" does not include companies publishing newspapers or periodicals.

3. The annual taxes, imposed upon and payable by the Amount of an-  
nual taxes  
upon : commercial corporations mentioned and specified in section one of this act, shall be as follows :

#### I. BANKS.

(a). Five hundred dollars, when the paid up capital of Banks ; the bank is five hundred thousand dollars or less than that sum; one thousand dollars, when the paid up capital is from five hundred thousand dollars to one million dollars; and an additional sum of two hundred dollars for each million or fraction of a million dollars of the paid up capital from one million dollars to three million dollars; and a further additional sum of one hundred dollars for each million or fraction of a million dollars of the paid up capital over three million dollars.

(b). An additional tax of one hundred dollars for each office or place of business in the Cities of Montreal and Quebec, and of twenty dollars for each office or place of business in every other place.

#### II. INSURANCE COMPANIES.

(a). An insurance company carrying on solely the business of life insurance, five hundred dollars.

(b). An insurance company carrying on any other kind Insurance  
Companies; of insurance, four hundred dollars, and when it combines two or more kinds of insurance, including life insurance, an additional sum of fifty dollars for each kind of insurance carried on beyond one.

(c). An additional tax of one hundred dollars for each office or place of business in the cities of Montreal and Quebec, and of five dollars for each office or place of business established in every other place.

## III. INCORPORATED COMPANIES.

Incorporated  
companies ;

(a). One hundred dollars, with an additional sum of fifty dollars for each two hundred and fifty thousand dollars or fraction of two hundred and fifty thousand dollars of the paid up capital of the company over two hundred and fifty thousand dollars.

(b). An additional tax of fifty dollars for each place of business, factory or workshop in the cities of Montreal and Quebec, and of twenty dollars for each place of business factory or workshop in every other place.

## IV. INCORPORATED LOAN COMPANIES.

Incorporated  
loan compa-  
nies ;

(a). A company with a fixed capital, four hundred dollars, with an additional sum of fifty dollars for each million dollars or fraction of one million dollars of the paid up capital of the company, over one million dollars.

(b). A company without a fixed capital, one hundred dollars.

(c). An additional tax of one hundred dollars for each office or place of business in the cities of Montreal and Quebec, and of fifty dollars for each office or place of business in every other place.

## V. INCORPORATED NAVIGATION COMPANIES.

Incorporated  
navigation  
companies ;

(a). One hundred dollars when the paid up capital is one hundred thousand dollars or less ; two hundred dollars when the paid up capital is from one hundred thousand dollars to five hundred thousand dollars ; with an additional sum of one hundred dollars for each five hundred thousand dollars or fraction of five hundred thousand dollars, of the paid up capital of the company, over five hundred thousand dollars ; but not to exceed a maximum of one thousand dollars.

## VI. TELEGRAPH COMPANIES.

Telegraph  
companies ;

(a). One thousand dollars.

(b). An additional tax of five dollars for each office.

## VII. TELEPHONE COMPANIES.

Telephone  
companies.

(a). Five hundred dollars.

(b). An additional tax of one hundred dollars for the principal station in the cities of Montreal and Quebec, and of fifty dollars for the principal station in every other place.

VIII. CITY PASSENGER RAILWAY OR TRAMWAY COMPANIES.

(a). Fifty dollars for each mile of railway or tramway worked. City passenger railway or tramway companies;

IX. RAILWAY COMPANIES.

(a). The railway companies mentioned in the Schedule of this Act, twenty dollars for each mile of railway worked. Railway companies;  
(b). All other railway companies, five dollars for each mile of railway worked.

4. Such taxes shall be payable on the first juridical day of the month of July in each year. Taxes when payable.

5. The principal tax, hereby imposed, shall be paid annually to the license inspector of the revenue district in which the commercial corporation has its chief or head office; and, in the event of its not having a chief or principal office in this Province, to the license inspector for the revenue district of Quebec. To whom principal taxes are payable.

The additional tax shall be paid annually to the license inspector of the revenue district in which the office, place of business, factory or workshop, for which it is payable, is situated. To whom additional taxes are payable.

6. If any such annual tax be not paid, the same may be recovered with legal interest thereon from the date upon which such tax became due, by an action brought, in his own name, on behalf of Her Majesty, by the license inspector of the revenue district in which such tax was payable. Action for recovery of taxes if unpaid.

7. All actions for the recovery of such taxes shall be brought in the judicial district in which they are payable, either before the Circuit Court or the Superior Court, according to the competency of the court with reference to the amount claimed. Before what Court brought.

8. Costs shall not be adjudged against the license inspector in any action instituted by him under this act; but on the recommendation of the tribunal, the provincial treasurer may, in his discretion, pay to the commercial corporation, in favor of which judgment has been rendered, the costs to which he may deem it equitably entitled. Costs not to be adjudged for; proviso as to certain cases.

9. The clerks or secretary treasurers of every municipal corporation shall annually, on or before the first day of June, return to the provincial treasurer the names of all clerks, &c., to provincial treasurer as to

commercial corporations in their municipalities.

Fine for default.

Taxes form part of Consolidated Revenue Fund of Province. Application of part of these taxes.

Act in force.

commercial corporations of the nature of those mentioned in this act, established or doing business within their respective municipalities, specifying the number of offices, places of business, factories or workshops of each; and in default of so doing they shall severally be liable to a fine of twenty five dollars, and in default of payment of such fine to an imprisonment of twenty-five days.

10. The taxes imposed by this act shall form part of the consolidated revenue fund of the province.

11. Any proportion of such taxes may be applied, from time to time, by the provincial treasurer, under the direction of the lieutenant-governor in council, to the payment of the expenses incurred for the carrying out of this act.

12. This act shall come into force on the day of its sanction.

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#### SCHEDULE.

*Railway Companies towards the construction of whose railways public moneys have been expended or have been appropriated, either by this Province or by the heretofore Province of Canada.*

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Canadian Pacific Railway Company, for that portion, in the Province, of its railway extending from Montreal to St. Jérôme, Aylmer and Ottawa City, together with the St. Lin and St. Eustache Branches;

Grand Trunk Railway Company of Canada, for that portion of its railway in the Province;

Montreal, Portland and Boston Railway Company;

North Shore Railway Company;

The International Railway Company;

The Lake Champlain and St. Lawrence Junction Railway Company;

The Missisquoi Valley Railway Company;

The Montreal and Laurentian Colonization Railway Company;

The Pontiac Pacific Junction Railway Company, for that portion of its railway in the Province;

The Quebec Central Railway Company;

The Quebec and Lake St. John Railway Company;

The South Eastern Railway Company;

The Waterloo and Magog Railway Company.

## CAP. XXIII.

An Act to grant subsidies for the construction of certain railways.

[Assented to 27th May, 1882.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. The Lieutenant-governor in Council is authorized to grant the following subsidies in aid of the construction of the railways hereinafter designated :
- (a) The sum of one thousand dollars per mile, in addition to the subsidy already granted by the Legislature and a quantity of five thousand acres of land per mile, provided that the total number of miles does not exceed one hundred and seventy miles, for a railway, starting from the Quebec, Montreal, Ottawa and Occidental Railway, four miles from Quebec and going to Lake St. John ;
- The subsidy of four thousand dollars, granted by previous acts, to be allowed for the whole length of such road, to wit, for one hundred and seventy miles ;
- (b) A quantity of ten thousand acres of land per mile, for a railway, starting from the Matapedia station in the county of Bonaventure, on the Intercolonial Railway, as far as Gaspé Basin, passing by the Port of Paspebiac in the county of Bonaventure, on the Bay des Chaleurs, provided the length of such road does not exceed one hundred and eighty miles ;
- (c) A quantity of ten thousand acres of land per mile, for a railway, starting from any point between Rivière Ouelle and Fraserville, or in the vicinity of either of these places, to a point on the frontier of New Brunswick, in the direction of Edmonton, in New Brunswick, provided the length of such road does not exceed sixty six miles ;
- (d) A quantity of eight thousand acres of land per mile, for a Railway, starting from the north end of the Piles Railway and going northwards, to a point of intersection with the Lake St. John Railway, towards the southern extremity of Lake Edward, provided the length of such road does not exceed sixty miles ;
- (e) A quantity of six thousand acres of land per mile, for a railway, starting from Hull Station in the County of Ottawa upon the Canadian Pacific Railway, as far as Le Désert village, in the County of Ottawa, provided the length of such road does not exceed seventy five miles ;
- (f) A quantity of four thousand acres of land per mile, for a railway, starting from a point between Buckingham and

Subsidies granted to certain rail-ways.

Road from Quebec to Lake St. John.

Application of former subsidy.

Road from Matapedia Station to Gaspé Basin.

Road from Fraserville to New-Brunswick.

Road from the Piles road to Lake Edward.

Road from Hull Station to Le Désert village.

Road from Buckingham to Aylwin.

Rockland on the Canadian Pacific Railway, as far as the village of Aylwin, in the County of Ottawa, provided the length of such road does not exceed fifty two miles;

Road from Lachute to St. Andrew's.

(g) A quantity of four thousand acres of land per mile, for a railway, starting from the village of Lachute, at a point of junction with the Canadian Pacific Railway, as far as the village of St. Andrews, in the County of Argen-teuil, provided the total length of such road does not exceed seven miles ;

Road from St. Jérôme to Ste. Agathe and New Glasgow.

(h) A quantity of four thousand acres of land per mile, for a railway, starting from the village of St. Jérôme, at a point of junction with the branch of the Canadian Pacific Railway, as far as the village of Ste. Agathe to the north, and as far as or near the village of New Glasgow, in the County of Terrebonne, provided the length of such road does not exceed forty five miles ;

Road from Canadian Pacific Branch to Wentworth.

(i) A quantity of four thousand acres of land per mile, for a railway, starting from a point upon a branch of the Canadian Pacific Railway, as far as a point in the township of Wentworth, provided the length of such road does not exceed twenty one miles ;

Road from St. Lin to Ste. Julienne.

(j) A quantity of four thousand acres of land per mile, for a railway, starting from the village of St. Lin, in the County of L'Assomption, at a point of junction with the branch of the Canadian Pacific Railway, as far as the village of Ste. Julienne, in the County of Montcalm, provided the length of such road does not exceed twenty miles ;

Road from St. Félix de Valois to St. Gabriel de Brandon.

(k) A quantity of four thousand acres of land per mile, for a railway, starting from the village of St. Félix de Valois, at a point of junction with the branch of the Quebec, Montreal, Ottawa and Occidental, as far as the village of St. Gabriel de Brandon, in the County of Berthier, provided the length of such road does not exceed ten miles ;

Road from Louiseville Station to the river Mattawin.

(l). A quantity of four thousand acres of land per mile, for a railway, starting from the Louiseville Station, upon the North Shore Railway, passing by the village of Hunterstown, as far as a point on the River Mattawin, near the township of Brassard, in the county of Maskinongé, provided the length of such road does not exceed sixty miles ;

Road from Quebec to Malbaie.

(m). A quantity of four thousand acres of land per mile, for a railway, starting from a point on the bank of the river St. Charles, in the city of Quebec, as far as the village of Malbaie, in the county of Charlevoix, provided the length of such road does not exceed ninety miles ;

Road from Leeds to Quebec Central Railway.

(n). A quantity of four thousand acres of land per mile, for a railway, starting from a point in the township of Leeds, in the county of Megantic, as far as a point upon the Quebec Central Railway or the Grand Trunk Railway,



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provided the length of such road does not exceed twenty miles ;

(o). A quantity of four thousand acres of land per mile, Road to join Boston, Concord and Montreal Railway. for a railway, starting from a point on the frontier of the province of Quebec, to effect a junction with the Boston Concord and Montreal Railway, to a point ten miles from Hall's stream, provided the length of such road does not exceed thirty miles ;

(p). A quantity of three thousand acres of land per mile, Road from Epiphanie station to L'Assomption village. for a railway, starting from the station at l'Epiphanie or l'Assomption on the Quebec, Montreal, Ottawa and Occidental Railway, to the village of L'Assomption, provided the length of such road does not exceed three miles and a half ;

(q). If, at any time within a period of two years from the passing of this act, the Missisquoi Valley Railway Com- Additional grant to Missisquoi Valley Railway on conditions. pany shall have completed, to the satisfaction of the Lieutenant-Governor in Council, that portion of their railway which entitles them to a subsidy of four thousand dollars per mile, under the provisions of the act of this Province, 41 Victoria, chapter 2, section 8, the company will be entitled to receive such further sum as will ensure them a subsidy of four thousand dollars per mile for the then uncompleted portion of their railway ;

(r). A quantity of eight thousand acres of land per mile, Road from Marieville to St. Paul d'Abbottsford. for a railway, starting from a point on the main line of the Montreal, Portland and Boston railway, at or near the village of Marieville, and running as far as a point on the Lake Champlain and St. Lawrence Junction Railway, in the parish of St. Paul d'Abbottsford, in the county of Rouville, provided the length of such road does not exceed fifteen miles ; such grant being subject to the conditions which the Lieutenant-Governor in council may establish.

2. The choice of the land, so to be given as subsidies, Lieutenant-Governor in Council to have choice of lands. shall be left entirely to the Lieutenant-Governor in Council who shall, as much as possible, fix the same along each line or in the vicinity thereof respectively, in alternate blocks of not more than two square miles or four miles, How to be fixed. in superficies ; subject to the following conditions :

1. Within the two years next after the passing of this Proof required from companies on applying for subsidy. act, the companies entitled to such subsidies shall furnish to the Lieutenant-Governor in Council proof of the resources at their command for the construction of their respective roads, and upon such proof shall apply for the subsidy Effect of not furnishing such proof within two years. hereby granted ; and at the expiration of the said two years, if such proof has not been made to the satisfaction of the Lieutenant-Governor in Council, such subsidy shall be null and void and cease to be authorized by-law.



Lieutenant-Governor in Council to fix amount of work to be performed if grants have been located.

feet of default to perform work as required.

2. If, within such delay of two years after the passing of this act, the Lieutenant-Governor in Council deems it advisable to determine the alternate blocks to be granted to each company respectively, the Lieutenant-Governor in Council shall, at the same time, establish the quantity of work which each company shall perform within the six months following the expiration of the two years above-mentioned; and in default of such work being performed, the Lieutenant-Governor may, upon a report of the commissioner of Railways, cancel, by proclamation in the *Quebec Official Gazette*, the order in council specifying the blocks of land for such company so in default, and in such case such subsidy shall also be null and void and cease to be authorized by law.

Rights of holders of limits preserved, and the renewal of licences provided for.

3. The establishing of these alternate blocks shall not deprive the holders of limits under licenses of their rights acquired from the Government, and the holders thereof shall be entitled, subject to all existing conditions, to the renewal of their licenses on such lands, until the railway companies have completed the construction of their roads, and until they have established on such lands so conceded *bonâ fide* settlers, who shall clear the same in the manner required by the regulations of the Crown Lands Department.

Price of sale of lands adjoining railway lands.

4. The Government shall not sell, for less than one dollar an acre, the lands adjoining the blocks so conceded and delivered to the railways.

Provision if lands are mining lands.

5. In case there should be mining lands amongst such lands so reserved for the railway companies, it shall be lawful for the companies to retain such lots, by paying to the Government a sum of two dollars an acre for such extent of land as the commissioner of Crown Lands shall declare to be of a mining nature, or to proportionately diminish the grant to which they are entitled, calculating the value of the lands at one dollar an acre; but this option shall be allowed, only in so far as the other conditions imposed upon the companies shall have been fulfilled and as the latter shall have furnished proof that they are in a position to complete their undertaking.

Limit of value of lands in money at the time they are granted to each railway.

6. The Lieutenant Governor in Council may establish the price and regulate the quantity of acres of land so conceded per mile of railway, in such manner that this land subsidy shall not represent, at the date of the grant, more than the sum of :

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1. Ten thousand dollars per mile for the road from Matapedia to Gaspé Basin ;
  2. Ten thousand dollars per mile for the railway from Rivière du Loup (*en bas*) to the frontier of New Brunswick ;
  3. Eight thousand dollars per mile for the road from the terminus at the Piles to Lake Edward ;
  4. Six thousand dollars per mile for the road from the station at Hull to Le Desert ;
  5. Five thousand dollars per mile for the road from a point of intersection on the North Shore Railway in the county of Quebec to Lake St. John ;
  6. Four thousand dollars per mile for the roads :
    - (a). From a point of intersection between Buckingham and Rockland to Aylwin ;
    - (b). From Lachute to St. Andrews ;
    - (c). From St. Jerome to St. Agathe and New Glasgow ;
    - (d). From a point on the Canadian Pacific branch to Wentworth ;
    - (e). From St. Lin to Ste. Julienne ;
    - (f). From St. Félix de Valois to St. Gabriel de Brandon ;
    - (g). From Louiseville to the Mattawin ;
    - (h). From the River St. Charles, opposite Quebec, to Murray Bay ;
    - (i). From a point in the township of Leeds to the Quebec Central Railway or to the Grand Trunk Railway ;
    - (j). From a point of junction on the frontier with the Boston, Concord and Montreal Railway to ten miles from Hall's Stream ;
    - (k). From Marieville to St. Paul d'Abbottsford ;
  7. Three thousand dollars per mile for a road starting from a point between the stations of l'Assomption and l'Epiphanie to l'Assomption ;
- Provided always that the minimum of such valuation Provido as to for each of such conceded lands shall be one dollar per minimum acre. value.

7. This act shall come into force on the day of its sanc- Act in force.  
tion.

### CAP. LII.

An Act to incorporate the Wentworth Railway Company.

[Assented to 27th May, 1882.]

**W**HEREAS the construction of a railway would be a Preamble.  
great advantage to that portion of the province  
through which it would pass, and the neighborhood

thereof; and whereas a petition has been presented praying for the passing of an act to incorporate a company authorized to construct the same, and it is expedient to grant the prayer of such petition; Therefore Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Certain persons incorporated.

1. Alfred LaRoque, senior; C. Fabien Vinet, Joseph Guillaume Guimond, Alexis Dubord, René A. Richard Hubert, Sévère Rivard and Ambroise Choquette, together with such other persons and corporations as may become shareholders of the company hereby incorporated, shall be and are hereby constituted a body politic and corporate under the name of "The Wentworth Railway Company."

Name of corporation.

Power to build railway, &c.

2. The company shall have power and authority to locate, construct and complete a railway line either of the ordinary or narrow gauge and a telegraph line throughout the entire length of such railway, from a point in the township of Wentworth and to connect the said road with the Quebec, Montreal, Ottawa and Occidental Railway at St. Jerome or Lachute or with any other of the feeders of the said road, to a point which shall be determined upon, after the necessary explorations having been made, by an order of the Lieutenant-Governor in Council, with power also to continue the said railway line, in a westerly direction, beyond the said township of Wentworth as far as river du Lièvre; provided always that the work be commenced within five years from the date of the passing of this act and that twenty five miles are commenced within the five following years.

Powers granted by 43-44 V., c. 43 conferred upon road

3. The company shall have all the powers conferred by the "Quebec Consolidated Railway Act, 1880," not inconsistent with the provisions of this Act.

Provisional directors.

4. The persons named in the first section of this act, with power to add to their number, shall be and are hereby constituted the provisional directors of the company, and five of them shall be a quorum; they shall remain in office until the first election of directors which shall be held under this act; and such provisional directors shall have power, forthwith, to open stock books, and obtain subscriptions to the capital stock of the undertaking; and so soon as they shall have obtained sufficient subscriptions to the capital stock, as hereinafter provided, they shall call a meeting of the shareholders of the company for the election of directors.

Their powers.

5. The capital stock of the company shall be five hundred thousand dollars, divided into shares of one hundred dollars each, but it may be increased, from time to time, by a vote of the majority in amount of the shareholders, present in person, or represented by proxy, at any meeting specially called for that purpose, to a sum not exceeding one million, five hundred thousand dollars.

6. It shall be lawful for the company to receive as aid in the construction of the said railway any real or personal property or any sums of money either as gifts or by way of bonus, or in payment of stock, and it may legally dispose of and alienate such lands and other real or personal property for the purposes of the company.

7. So soon as an amount of fifty thousand dollars of the capital stock of the company shall have been subscribed, and ten per cent thereof paid up, the provisional directors shall call a general meeting of the subscribers to the capital stock, in the city of Montreal for the purpose of electing the directors of the company, whose number shall not exceed seven; notice of such meeting shall be published for two weeks, in two papers published in the city of Montreal, one in French and one in English.

8. At such general meeting the shareholders assembled, who have paid up ten per cent of their subscriptions, shall, personally or through their proxies, elect the directors of the company, five of whom shall form a quorum, and they may pass such by-laws and regulations as they may deem necessary.

9. Every annual or other general meeting, thereafter, shall be convened at the time and place, and in the manner prescribed by the said by-laws and regulations.

10. No person shall be chosen or appointed director unless he holds, in his own name, at least fifty shares in the capital stock of the said company, and has paid up all calls on the said shares.

11. The directors of the company are hereby authorised to issue mortgage bonds, bearing the seal of the company, and signed by the president, or other presiding officer, and countersigned by the secretary; and such bonds may be payable in such manner, at such place in Canada or elsewhere, and shall bear such rate of interest as the directors may deem advisable; and the directors shall have power

to issue and sell or pledge all or any of such bonds, at the prices and on the terms and conditions as they may deem fit, for the purpose of raising the amount necessary for the carrying out of the undertaking; provided that the amount of such bonds, so issued, does not exceed fifteen thousand dollars per mile; provided also that no such bonds shall be issued until at least fifty thousand dollars of the capital stock have been subscribed, and ten per cent thereon paid up.

Proviso limiting amount.

Proviso as to when bonds may be issued.

Bonds privileged without registration.

Rank of bonds of different issue.

Bonds how payable.

Transfer thereof.

Power of company to become party to bills and notes

Seal not necessary.

**12.** The mortgage bonds, hereby authorized to be issued, shall, without registration or formal transfer, be received and considered as a first claim and privileged debt against the company, its undertaking, tolls and revenues, and the moveables and immoveables which it now possesses or may hereafter acquire; and every holder of such bonds shall be deemed an hypothecary creditor, as to such security, *pro rata* with all other bond holders. If there have been several issues of such bonds, at different dates, the privileged rank thereof shall be determined by the date of their issue; bonds having a prior date shall rank before those of a subsequent issue.

**13.** All bonds, debentures, hypothecs and other securities, hereby authorized, and their coupons and certificates of interest due, may respectively be made payable to bearer, and in such case they shall be transferable by simple delivery, and the holder may sue for recovery thereof in his own name, until they be registered, and, when they are registered, they shall be transferable by a deed of transfer, in the same manner as in the case of transfers of shares; but they shall again become transferable by simple delivery, upon the registration of a transfer to bearer, and the company shall be bound to execute such registration on the application of the then registered holder.

**14.** The company shall have power and authority to become parties to promissory notes and bills of exchange, of not less than one hundred dollars; and any such promissory note or bill of exchange made, accepted or endorsed by the president or vice-president of the company, and countersigned by the secretary, under the authority of a majority of a quorum of the directors, shall be binding on the company; and every such promissory note or bill of exchange, so made, shall be presumed to have been duly made with the proper authority, until the contrary be shewn; and in no case shall it be necessary to have the seal of the company affixed to any promissory note or bill of exchange; nor shall the president or vice-president or

the secretary and treasurer of the company be personally responsible for the same, unless the said promissory note or bill of exchange has been issued without the sanction and authority of the board of directors, as herein provided and enacted.

Provided, however, that nothing in this section shall be construed to authorize the company to issue notes or bills of exchange, payable to bearer or intended to be circulated as money, or as the notes or bills of a bank.

**15.** The directors may, at any time, call upon the shareholders for such instalments upon each share, which they or any of them may hold in the capital stock of the said company, and in such proportion as they may see fit. Except that no such instalment shall exceed ten per cent on the subscribed capital, and that one month's notice of each shall be sent by mail to each shareholder.

**16.** The company shall have power to amalgamate or make arrangements with any line of railway, for the passage of its cars, situated along the line, which shall cross or join the same, and shall also have full power and authority to enter into and conclude any arrangements with any other railway company, for the purpose of acquiring any branch or branches to facilitate the connection between the company hereby incorporated and such other railway company, or to acquire the corporate property and franchise of such other company.

**17.** The company may enter into any arrangement, with any other railway company or with the government of the province of Quebec, for leasing the said railway or any part or branch thereof, or the use thereof, at any time or for any period, or for leasing or hiring from such other company or the said government any railway or any part or branch thereof, or the use thereof, at any time or times and for any period, or for leasing or hiring, as lessors or lessees, any locomotives, tenders, cars or other rolling stock or moveable property, from any such company or any company or individuals or the said government, and generally to make any agreement or arrangement with any other such company or the said government, touching the use by one or the other or by both, of the said railway or rolling stock or moveable property of either or both, or any part thereof, or touching any service to be rendered by the one to the other, and the compensation therefor; provided the said leases, arrangements and agreements had been first respectively sanctioned by the majority of votes, at a special general meeting of the shareholders, called for the purpose



of considering the same respectively, after due notice given, as provided by "The Quebec Consolidated Railway Act, 1880."

Right of persons to become shareholders.

18. All shareholders in the company, whether British subjects or aliens or residents of Canada or elsewhere, shall have equal rights to hold stock in the company, and to vote on the same and be eligible to any office in the company.

Form of deeds.

19. All deeds and conveyances of lands to the said company, for the purposes of this act, in so far as circumstances will admit, may be in the form of the schedule A, to this act subjoined.

### SCHEDULE A.

#### Deed of sale.

Know all men, by these presents, that  
 of \_\_\_\_\_ in the county of \_\_\_\_\_ for and  
 in consideration of the sum of \_\_\_\_\_ to \_\_\_\_\_ paid by  
 the Wentworth railway company, which acknowledge  
 to have received, grant, bargain, sell and convey unto the  
 said Wentworth railway company, their successors and  
 assigns, all that tract or parcel of land  
 \_\_\_\_\_ the same having been selected and laid out  
 by the said company, for the purposes of their railway, to  
 have and to hold the said lands and premises unto the said  
 company, their successors and assigns for ever.

Witness \_\_\_\_\_ hand and seal  
 at \_\_\_\_\_, this \_\_\_\_\_ day  
 of \_\_\_\_\_, one thousand eight hundred  
 and \_\_\_\_\_

Signed, Sealed delivered }  
 in the presence of . }

C. D.  
 E. F.

(L. S.) A. B.



notice given,  
Railway Act,

Her British  
elsewhere,  
Company, and  
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the said com-  
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railway. to  
into the said

day  
eight hundred

) A. B.

CAP. LIII.

An Act to incorporate "The Baie des Chaleurs Railway Company."

[Assented to 1st May, 1882.]

**W**HEREAS, the construction of a railway, as herein-  
after set forth, would be a great benefit to that  
portion of the province through which it will pass, as well  
as to the neighborhood thereof, and whereas a petition has  
been presented praying for the passing of an act to incor-  
porate a company authorized to construct such railway,  
and it is expedient to grant the prayer of the said petition;  
Therefore, Her Majesty, by and with the advice and con-  
sent of the Legislature of Quebec, enacts as follows:

1. The Right Honorable Charles Adolphus Murray, Earl of Dunmore, in the peerage of Scotland; Honorable Thomas McGreevy; Robert Hudson Montgomery, esquire; Louis Robitaille, esquire; Pierre Clovis Beauchesne, esquire; Louis Joseph Riopel, esquire; François Giroux, esquire, Daniel Ahearn, esquire; Thomas Carbray, esquire, and Charles LeBas, esquire; together with all such persons and corporations as may hereafter become shareholders in the company hereby incorporated, shall be and are hereby constituted a body politic and corporate, under the name of "The Baie des Chaleurs Railway Company."

Certain persons incorporated.

Name of corporation.

2. The said company is vested with all the rights and privileges required to build and work a railway, starting from some point on the Intercolonial Railway, in the vicinity of the Ristigouche river, or connecting with the said Intercolonial Railway, and extending to New Carlisle or Paspébiac Bay, with the right of continuing the line to Gaspé Basin. The said company shall also have power to acquire, build, own and use steam boats and other vessels in connection with the said railway.

Company vested with certain rights &c.

3. The company shall have all the powers conferred by the "Quebec Consolidated Railway Act, 1880," not inconsistent with the provisions of this act.

Powers granted by 43-44 V., c. 43 conferred on Company.

4. The capital stock of the company shall be three million dollars, divided into sixty thousand shares of fifty dollars each, but it may be increased, from time to time by a vote of the majority in value of the shareholders, present in person, or represented by proxy, at any meeting called for that purpose.

Capital stock of the Company.

Power in acquire lands &c. for purposes of the Company.

5. It shall be lawful for the company to receive, as aid in the construction of the said railway, any vacant lands, or any real or personal property, or any sums of money, either as gifts or by way of bonus, or in payment of stock, and it may legally dispose of and alienate such lands and other real or personal property for the purposes of the company, on the authority of a majority of its directors.

Provisional board of directors.

6. The Right Honorable Charles Adolphus Murray, Earl of Dunmore, Honorable Thomas McGreevy, Robert Hudson Montgomery, Louis Robitaille and Louis Joseph Riopel, esquires, are hereby constituted a board of provisional directors of the company, three of whom shall form a quorum, and they shall remain in office until other directors are elected by the shareholders, in accordance with the provisions of the present act, and they shall have power and authority to fill vacancies occurring on the board, to open stock-books and obtain subscriptions to the capital stock of the undertaking, and call up instalments on the stock subscribed, to issue obligations, bonds or debentures, to become parties to promissory notes and bills of exchange, to commence and continue the construction and working of the said railway.

Quorum.

And powers.

General meeting of shareholders for election of directors and notice thereof.

7. The general meeting of the shareholders, for the election of directors, shall be held, each year, on the first Wednesday in May, in the city of Quebec, at the time and place indicated in the notice convening such meeting; and such notice shall be inserted in a newspaper published in the city of Quebec or in the district of Gaspé, during the two weeks preceding the date of the meeting. Notice of other meetings of the shareholders shall be given in the manner prescribed by the by-laws of the company.

Notice of other meetings.

Composition of board.

8. The board of directors of the company shall be composed of seven members, four of whom shall be a quorum, who shall elect one of their number as president and another as vice-president. No one shall be elected director unless he be a shareholder, holding ten shares in the capital stock of the company and unless he has paid all the calls due thereon.

Vacancies on board.

9. The directors or a majority of them may, from time to time, replace one or more directors, deceased or refusing to act, by selecting from amongst the shareholders one or more persons duly qualified to be directors; and such directors, so appointed, shall remain in office until the following election of directors, in the month of May then next.

10. The principal place of business and the head-office Principal place of business of company. of the company shall be in the city of Quebec, or in such other place as may be determined by the board of directors.

11. All manufacturing or other companies, carrying on Power of companies and corporations to hold stock in company. business, in whole or in part, in the district of Gaspé or elsewhere, even outside of the Dominion of Canada, and incorporated either by a special or by a general act, and all municipal corporations may subscribe to the capital stock and acquire and hold any number of shares of the said company and dispose of the same as they may think proper.

12. Notwithstanding the provisions contained in the Branch lines under twenty five miles allowed to be built and worked by company. Quebec Consolidated Railway Act, 1880, and particularly in the sixteenth and seventeenth sub-sections of section seven of the said act, the company may build and work branch lines, of twenty five miles in length each, and for that purpose it shall have all the powers, rights and privileges conferred upon it for the construction and working of its main line. It may also construct bridges, wharves Bridges &c., may be built. and all other works necessary for the construction and working of its line, with power to extend it to deep water.

13. The directors of the company are hereby authorized Power to borrow money and issue bonds, &c. to borrow, either in Canada or elsewhere, all sums of money necessary to complete, maintain, and work their railway; to issue mortgage bonds, bearing the seal of the company, and signed by the president, or other officer, acting as president, and countersigned by the secretary; and such bonds may be payable in such manner, at such place in Canada or elsewhere, and shall bear such rate of interest as the directors may deem advisable; such bonds may be sold or pledged at the prices and on the terms and conditions they may deem fit; provided that the amount of such Proviso. bonds so issued does not exceed the amount of the capital stock of the company.

14. The mortgage bonds, hereby authorized to be issued, Privilege of mortgage bonds. shall, without registration or formal transfer, and notwithstanding article 2130 of the civil code, be received and considered as a first claim and privileged debt against the company, its undertakings, tolls and revenues, deduction being made from such tolls and revenues of the expenses of working, and the movables and immovables which it may acquire; and every holder of such bonds shall be deemed a hypothecary creditor, as to such security, *pro rata* with all other bond-holders.

**Rank of bonds of different issue.** If there have been several issues of such bonds, at different dates, the privileged rank thereof shall be determined by the date of their issue ; bonds bearing a prior date shall rank before those of a subsequent issue.

**Bonds payable to bearer.** **15.** All bonds, debentures, hypothecs and other securities, hereby authorized, and their coupons and certificates of interest due, may respectively be made payable to bearer, and in such case they shall be transferable by simple delivery, and the holder may sue for recovery thereof in his own name.

**Power of company to become parties to notes and bills of a certain amount.** **16.** The company shall have power and authority to become parties to promissory notes and bills of exchange, of not less than one hundred dollars, and any such promissory note or bill of exchange made, accepted or endorsed by the president or vice-president of the company, and countersigned by the secretary, under the authority of a majority of a quorum of the directors, shall be binding on the company ; and every such promissory note or bill of exchange, so made, shall be presumed to have been duly made with the proper authority, until the contrary be shewn ; and in no case shall it be necessary to have the seal of the company affixed to any promissory note or bill of exchange ; nor shall the president or vice-president or the secretary or treasurer of the company be individually responsible for the same, unless the said promissory note or bill of exchange has been issued without the sanction and authority of the board of directors, as herein provided and enacted.

**Calls.** **17.** The directors may, at any time, call upon the shareholders for such instalments upon each share which they or any of them may hold in the capital stock of the said company, and in such proportion as they may see fit.

**Proviso.** Except that no such instalment shall exceed ten per cent on the subscribed capital, and that one month's notice of each call shall be sent by mail to each shareholder

**Power of company to sell, lease, or amalgamate, &c.** **18.** The Baie des Chaleurs Railway Company shall have the power and is authorized to sell and lease to, or amalgamate with any other railway company, or sell or lease to the government of the Dominion of Canada, and to acquire any other railway or undertaking by purchase or lease and to make any agreement with any other railway company or with the government of the Dominion of Canada, to obtain running powers over their lines or to acquire such running powers from such other company or from the

Government of the Dominion of Canada, for such period as may be considered the most advantageous and generally make any agreement or arrangement with any such other railway company or with the Government of the Dominion of Canada, touching the use, by one or the other or both of such companies or the Government of the Dominion of Canada, of the said railways and undertakings so acquired or taken by means of transfer, lease, or amalgamation as aforesaid, or any of them or any part thereof, respectively, or touching any service to be rendered by one company to the other, or by or to the Government of the Dominion of Canada, with respect thereto.

19. All contracts for works of construction or maintenance of the railway shall be made in the manner and according to the formalities prescribed by the by-laws of the board of directors of the said company, notwithstanding the second sub-section of section twenty-eight of the "Quebec Consolidated Railway Act, 1880."

20. All deeds and conveyances of land to the said company may, for the purposes of this Act and in so far as circumstances may permit, shall be in the form of schedule A, to this Act annexed, or in any other form of similar tenor. And in order that all such deeds be duly registered, all registrars, in their respective counties, shall be furnished, by and at the expense of the said company, with a book containing copies of the form given in the said schedule A or other form of similar tenor, which are to be printed on each page, leaving the necessary blanks to suit the circumstances upon each separate conveyance, and shall, upon the production of any conveyance, and proof of its execution, enter the same in the said book, without any memorial, and shall minute the enregistration or entry on the deed, and the registrar shall charge and receive from the said company, for all fees on such registration, fifty cents and no more; and such registration shall be deemed to be valid in law, any statute or provision of law to the contrary notwithstanding, and it shall, with respect to rights of ownership, servitudes, hypothecs and real rights, have the same effect as the registration prescribed by the Civil Code.

21. This Act shall, for all purposes whatsoever, be deemed valid and in full force and effect, as to such portion or portions of the said railway which may be commenced within five years and completed within ten years from the passing of the Act.

Certain provisions of Rail-  
way Act of  
1850 not to  
apply.

22. It is further enacted that the twenty-fourth sub-section of section nineteen and the third sub-section of section twenty-eight of the "Quebec Consolidated Railway Act, 1880," shall not form part of this Act.

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SCHEDULE A.

DEED OF SALE.

Know all men by these presents, that I, A.B.,  
of \_\_\_\_\_ in the County of \_\_\_\_\_ for and in  
consideration of the sum of \_\_\_\_\_ to me paid  
by the Baie des Chaleurs Railway Company, which I  
acknowledge to have received, grant, bargain, sell and  
convey unto the said Baie des Chaleurs Railway Company  
all that tract or parcel of land (*description of the property*),  
the same having been selected and laid out by the said  
company, for the purposes of their railway to have and to  
hold the said lands and premises unto the said company,  
their successors and assigns for ever.

Witness \_\_\_\_\_ hand and seal  
at \_\_\_\_\_ this \_\_\_\_\_ day  
of \_\_\_\_\_ one thousand eight hundred  
and \_\_\_\_\_

Signed, sealed and delivered }  
in presence of

C. D.  
E. F.

(LS.) A. B.

---

C A P. L I V.

An Act to incorporate the Three Rivers and North Western  
Railway Company.

[Assented to 1st May, 1882.]

resemble.

WHEREAS the reverend H. Trahan, of St. Sévère, the  
reverend F. Verville, of St. Elie, the reverend J. D.  
S. Carufel, of St. Etienne des Grais, the reverend T.  
H. of St. Barnabé, the reverend C. Bellemarre, of Sha-  
winigan, and Messrs. F. L. Desaulniers, of Yamachiche,  
Simon J. Remington, of St. Etienne des Grais, Onezime  
Bournival, of St. Barnabé, Sévère Dumoulin, Arthur T.



ty-fourth sub-  
sub-section of  
dated Railway

Genest, George McDougall and Joseph Reynar, of Three Rivers, have petitioned the Legislature for an act of incorporation, to construct a railroad from the city of Three Rivers, west of the river St. Maurice, to a point on the river Matawin at or near Pine Lake, passing by the most advantageous line, and whereas it is expedient to grant the prayer of the said petition ; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

.B.,  
for and in  
to me paid  
any, which I  
gain, sell and  
way Company  
of the property),  
at by the said  
to have and to  
said company,

1. The said reverend Messieurs F. Verville and J. D. S. de Carutel, and the said Messieurs F. L. Desaulniers, Simon J. Remington, Onézime Bournival, Sévère Dumoulin, Arthur T. Genest, George McDougall and Joseph Reynar, together with such other persons and corporations as shall become subscribers and shareholders in the company hereby incorporated, shall be, and are hereby ordained, constituted and declared to be a body corporate and politic, by and under the name and style of the "Three Rivers and North Western Railway Company." Certain persons incorporated.

day  
eight hundred

2. The company is hereby authorized to lay out and construct, make, finish, run and work a single or double railway, of such width or gauge as the company shall see fit, from the city of Three Rivers, west of the river St. Maurice, by the most advantageous line, in a north westerly direction, to a point on the river Matawin, at or near Pine Lake ; and the said company may construct the different sections of the said railway in such order as they see fit, following the general direction as hereinbefore provided. Power of the company to lay out, &c., rail-way, &c.

A. B.

3. The said company may erect and construct such bridges as they may require for the purposes of the said railway, over any part of any river as they may deem necessary or advisable, with the right, if they think proper, to adapt such bridges to the passage of horses, vehicles and passengers, subject to the clauses, stipulations and conditions of the "Quebec Consolidated Railway Act, 1880," and in case any such bridge shall be used by the public as a toll-bridge, the rates and tolls shall be fixed by the Lieutenant-Governor in Council. Power to construct bridges.

North Western

May, 1882.]

t. Sévère, the  
reverend J. D.  
e reverend T.  
marre, of Sha-  
Yamachiche,  
rais, Onézime  
in, Arthur T.

4. The company may, with the consent of the Lieutenant-Governor in Council, take and appropriate the land, necessary for the passage of the said railway over so much of the Crown lands, not already conceded, lying along the route of its said railway. Power to expropriate land, &c.



Capital stock  
of company.

5. The capital stock of the said company shall not exceed in the aggregate (unless increased under the provisions of the Quebec Consolidated Railway Act, 1880) the sum of two hundred thousand dollars, divided into twenty thousand shares of ten dollars each, which amount shall be furnished and raised by the persons hereinbefore named, and such other persons and such corporations and municipalities as have or may become holders of shares in the said company by subscribing to the stock thereof; and the money so raised shall be applied, in the first place to the payment of all fees, expenses and disbursements for procuring the passing of this act and for making the surveys, plans and estimates connected with the railway. The rest and residue of such money shall be applied towards making, completing, maintaining and working the said railway and for the other purposes of this act.

Employment of  
capital.

Provisional  
directors.

6. The reverend Messrs. F. Verville and J. D. S. de Carufel, and Messrs. F. L. Desaulniers, Simon J. Remington, Onézime Bournival, Sévère Dumoulin, Arthur T. Genest, George McDougall and Joseph Reynar, shall be and are hereby constituted a board of directors of the said company, and shall hold office as such until other directors are appointed by the shareholders, under the provisions of this Act, and shall have power and authority to fill up vacancies in their number from among the shareholders, to open stock-books and procure subscriptions for the undertaking, to make calls upon the subscribers, to cause surveys and plans to be made and executed, to call a general meeting of shareholders for the election of other directors as hereinafter provided, and generally to do all other such acts as such board, under the said Quebec Consolidated Railway Act, 1880, may do.

Stocks subscrip-  
tion books and  
calls.

Liability of  
shareholders.

7. All persons, municipalities or corporations, subscribing to the capital stock of the said company, shall be considered proprietors and partners in the same, but shall be liable only to the extent of the amount of their stock therein; and the mayor or warden or any municipal corporation, subscribing for stock in the said company to the amount of ten thousand dollars or upwards, shall be *ex-officio* one of the directors of the said company, in addition to the number of directors authorized by this Act, and shall have the same rights, powers and duties as any of the directors of the company.

*Ex-officio* di-  
rectors.

First election  
of directors at  
general meet-

8. When and so soon as one-tenth part of the said capital stock shall have been subscribed, as aforesaid, it shall and may be lawful for the said directors, or a majority of them,

to call a meeting of the shareholders, at such time and place as they may think proper, giving at least two weeks notice, in one newspaper published in the city of Three Rivers, and in one newspaper published in each of the cities of Quebec and Montreal; at which general meeting and at the annual general meetings in the following sections mentioned, the shareholders present, either in person or by proxy, shall elect seven directors, in the manner and qualified as hereinafter provided, which said seven directors shall constitute a board of directors and shall hold office until the first Monday in May in the year following the first election.

ing, convened on notice to that effect.

Composition of Board.

9. On the said first Monday in May and on the first Monday of May in each year thereafter, there shall be holden a general meeting of the shareholders of the said company, at the principal office of the said company in the city of Three Rivers; at which meeting the shareholders shall elect seven directors for the then ensuing year, in the manner and qualified as hereinafter provided; and notice of such annual general meeting and election shall be published at least two weeks before the day of election, in at least one newspaper published in each of the cities of Three Rivers, Quebec and Montreal; and all the elections of directors shall be by ballot; and the persons elected, together with the *ex-officio* directors, if there be any such, under the said Quebec Consolidated Railway Act, 1880, shall form the board of directors.

Subsequent election.

Number of directors.

SO Election by ballot.

10. Three directors shall form a quorum for the transaction of business, and the said board of directors may employ one or more of their number as paid director or directors; provided, however, that no person shall be elected director unless he shall be the holder and owner of at least fifty shares of the stock of the said company and shall have paid up all calls upon the said stock.

Quorum of board.

Qualification of directors.

11. In the election of directors, under this Act, and in the transaction of business at the general shareholders' meetings, each shareholder shall be entitled to as many votes as he holds shares, upon which the calls have been paid up, and shall be entitled to vote either in person or by proxy.

Right to vote.

12. The directors may, at any time, call upon the shareholders for such instalments upon each share, which they or any of them may hold in the capital stock of the said company, and in such proportion as they may see fit, except that no such instalments shall exceed ten per cent

Calls.

Proviso.

Notice thereof. on the subscribed capital and that one month's notice of each call shall be given in such manner as the directors shall see fit.

Form of deeds of sale. **13.** All deeds and conveyances of lands to the said company, for the purposes of this Act, in so far as circumstances will admit, may be in the form of Schedule A to this Act subjoined, or in any other form to the like effect; and, for the purposes of due enregistration of the same, all registrars in their respective counties are required to register, in their registry books, such deeds and conveyances, upon the production and proof of the due execution thereof, without any memorial, and shall minute the enregistration or entry on such deed; and the registrar shall receive from the said company, for all fees on every such registration and for a certificate of the same, fifty cents and no more; and such registration shall be deemed to be valid in law; any statute or provision of law to the contrary notwithstanding.

Vacancies on board how filled. **14.** The directors, or a majority of them, may supply the place or places of any of their number, from time to time, dying or declining to act as such directors, from among the several persons being subscribers for or owning and holding shares in the said company sufficient to qualify him or them to act as directors as aforesaid.

Power to become party to bills and notes &c. **15.** The said company shall have power and authority to become parties to promissory notes and bills of exchange for sums not less than one hundred dollars; and any such promissory note made or endorsed or bill of exchange drawn, accepted or endorsed by the president or vice-president of the board of directors of the company, with the counter-signature of the secretary-treasurer thereof, and under the authority of a majority of a quorum of the directors, shall be binding on the company; and every such promissory note or bill of exchange, so made, shall be presumed to have been made with proper authority, until the contrary be shown; and in no case shall it be necessary to have the seal of the said company affixed to such promissory note or bill of exchange, nor shall the president or vice-president or the secretary and treasurer be individually responsible for the same, unless the said promissory notes or bills of exchange have been issued without the sanction and authority of the board of directors, as herein provided and enacted.

Seal thereon not necessary. **16.** The directors of the said company shall have the power, upon being duly authorized thereto by a vote of the

Issue of bonds for certain purposes.

majority of the shareholders in the said company, present at any annual meeting in the month of May for the purpose of electing directors, or at any general meeting of the said shareholders, whereof notice shall have been given in the manner hereinabove provided, in the case of a general annual meeting and election, and in which notice shall be stated and published the object of such meeting, to issue their bonds, made and signed by the president or vice-president of the said company, and countersigned by the secretary and treasurer, and under the seal of the said company, for the purpose of raising money for prosecuting the undertaking, and such bonds shall be and be considered to be privileged claims upon the property of the said company, and shall bear hypothec upon the said railway without registration; provided however that no such bonds, bearing such hypothec, shall be issued until after ten per cent of the whole capital stock of the said company, as provided by this act, shall have been expended in and upon the said railway.

Privilege of bonds without registration. Proviso.

17. All bonds, debentures and other securities to be issued by the company, may be payable to bearer; and all such bonds, debentures and other securities of the company and all dividend or interest warrants thereon, respectively, which shall purport to be payable to bearer, shall be assignable at law by mere delivery, and may be sued on and enforced by the respective bearers or holders and owners thereof, for the time being, in their own names.

How such bonds are made and transferred.

18. It shall be lawful for the said company to enter into any agreement with any other railway in this province, for leasing the said railway or any part thereof, or the use thereof, at any time or times, or for any period, or for leasing or hiring any railway or part thereof or the use thereof, or for the leasing or hiring any locomotives or movable property, and generally to enter into any such agreement, touching any service to be rendered by one railway company to the other and the compensation therefor; and any such agreement shall be valid and binding, and shall be enforced by courts of law according to the terms and tenor thereof.

Power to lease &c., road.

19. This act shall be subject to the said Quebec Consolidated Railway Act, 1880, except in so far as the special provisions of this act may be inconsistent therewith.

Application of Quebec Consolidated Railway Act, 1880.

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## SCHEDULE A.

*Form of Deed of Sale.*

Know all men by these presents that I, (A. B., of———,) do hereby, in consideration of \_\_\_\_\_ paid to me by the Three Rivers and North Western Railway Company, the receipt whereof is hereby acknowledged, grant, bargain sell and convey unto the said Three Rivers and North Western Railway Company, their successors and assigns, all that tract or parcel of land (*description*) the same having been selected and laid out by the said company for the purposes of their railway; to have and to hold the said land and premises unto the said company, their successors and assigns forever.

Witness my hand and seal at this \_\_\_\_\_ day of \_\_\_\_\_ one thousand eight hundred and \_\_\_\_\_

Signed sealed and delivered } A. B.  
 in presence of \_\_\_\_\_ }  
 \_\_\_\_\_ } (L. S.)  
 C. D.  
 E. F.

## C A P . L V .

An Act to amend the act incorporating "The South Shore Railway and Tunnel Company."

[Assented to 27th May, 1882.]

Preamble.

**W**HEREAS the South Shore Railway and Tunnel Company have, by petition, prayed that their act of incorporation be amended, so that they can more easily attain the objects of their enterprise; and whereas it is expedient to grant the prayer of the said petition; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

43-44 V., cap. 47, sec. 2 re-placed. **I.** Section 2 of the act 43-44 Victoria, chapter 47, is amended, by striking out the words from the beginning of the section to the words : " River St. Lawrence " inclusive in the thirteenth line thereof and by substituting therefor the following words :

Power to lay out, make &c. a certain railway. " The said company and their servants shall have full power and authority to lay out, make and finish a continuous double or single track iron or steel railway, of a standard

gauge of four feet eight inches and one half, and also a telegraph line throughout the entire length of such railway, with the proper appurtenances, from a point at or near Dundee, in the county of Huntingdon, and any other point on the province line, and thence to a point on the south bank of the river St. Lawrence, in the county of Chambly or Laprairie, passing through and near the villages of the parishes of Ste Martine, St. Malachie d'Orms-town and Huntingdon or any other town or villages, with power to build branch lines connecting with any railway south of the river St. Lawrence."

2. Section 7 of the same act is amended, by striking out <sup>43-44 V., cap.</sup> the word: "nine," in the fourteenth line thereof and in- <sup>47, sec. 7</sup>serting, in its stead, the word: "seven." <sup>amended.</sup>

3. Section 14 of the said act is amended, by striking out <sup>Idem sec. 3</sup> the word: "three" in the fourth line thereof and inserting <sup>amended.</sup> in its stead the word: "four."

4. Sections 19 and 21 of the said act are both amended <sup>Idem secs. 19</sup> by striking out the words; "The Quebec Railway Act, <sup>and 21 amend-</sup> 1869," and inserting in their stead the words: "The Que- <sup>ed.</sup>bec Consolidated Railway Act, 1880."

5. Section 20 of the said act is amended, by striking out <sup>Idem sec. 20</sup> all the words after the word: "determined," in the <sup>amended.</sup> seventh and eighth lines thereof to the end of the section, and inserting in their stead the words: "by both parties."

6. Section 24 of the said act is amended, by striking out <sup>Idem sec. 24</sup> the words: "three months" in the second line thereof, <sup>amended.</sup> and inserting in their stead the words: "two years", and by striking out the word "two," in the third line thereof, and inserting in its stead the word: "four," and by striking out the word: "one," in the fourth line thereof, and inserting in its stead the word: "three."

7. Sections 25 and 26 of the said act are repealed.

<sup>Idem secs.</sup>  
<sup>24 and 26</sup>  
<sup>repealed.</sup>

8. The present Act shall come into force on the day of <sup>Act in force.</sup> its sanction.



## CAP. LVII.

An Act to incorporate the "Ottawa Colonization Railway Company."

[Assented to 27th May, 1882.]

Preamble.

**W**HEREAS the persons hereinafter named, and others, have, by their petition, represented that a line of railway, to be constructed from a point either in the Townships of Templeton or Buckingham or some point in the vicinity thereof, most convenient for connection with the Quebec, Montreal, Ottawa and Occidental Railway, and following a general westerly and northerly direction so as to connect the rivers aux Lièvres and Gatineau, in the said County of Ottawa, with power to amalgamate or to connect at some convenient point with the Ottawa and Gatineau Valley Railway, not further north than within the boundaries of the township of Aylwin, would develop and promote the agricultural, mineral and timber resources of the district, by supplying a ready means of ingress to and egress from various sections of the County of Ottawa, as well as becoming a valuable feeder to the Quebec, Montreal, Ottawa and Occidental Railway; and whereas the said parties, as hereinafter named, have prayed to be incorporated as a company for constructing, equipping and working such railway; and it is expedient to grant the prayer of the said petitions; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec enacts as follows:

Certain persons incorporated.

1. Charles H. Mackintosh, Alonzo Wright, M.P., J. Murray Mitchell, Henry Large, Hon. James Skead, F. W. Henshaw, J. M. Currier, M.P., Hon. William Macdougall, M.P., Herbert B. Ives, James A. Gouin, W. McIntosh, W. A. Allen, L. P. Labouglie, Chas. Leduc, John Cosgrove, E. W. Murray and Luke Heney, esquires, with all such other persons and corporations as shall become shareholders in the company hereby incorporated, shall be and are hereby constituted a body corporate and politic, by the name of the "Ottawa Colonization Railway Company," and shall have all powers appertaining to railway corporations in general, and the powers and privileges conferred on such corporations by the Quebec Consolidated Railway Act, 1880, subject to the provisions hereinafter mentioned.

Name of corporation and general powers.

Power to lay out &c., railway.

2. The said company and their agents and servants may lay out, construct and finish a single or double line of railway, of such width or gauge as the company may see fit, from a point either in the Townships of Templeton or



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Buckingham, or some point in the vicinity thereof, most convenient for connection with the Quebec, Montreal, Ottawa and Occidental Railway, and following a general westerly and northerly direction between the rivers Aux Lièvres and Gatineau, in the said County of Ottawa, with power to amalgamate or to connect at some convenient point with the Ottawa and Gatineau Valley Railway, not further north than within the boundaries of the township of Aylwin.

3. The capital stock of the said company shall not exceed, in the whole, the sum of one million dollars, with power to increase the same, as provided by the Quebec Consolidated Railway Act, 1880, to be divided into twenty thousand shares of fifty dollars each, which amount shall be raised by the persons hereinafter named and such other persons and corporations, as may become shareholders in the said company; and the money so raised shall be applied, in the first place, to the payment of all fees, expenses and disbursements connected with the passing of this act, and for making the surveys, plans and estimates connected with the road; and the remainder of such money shall be applied towards making, completing and maintaining the said railway and for the other purposes of this act.

4. It shall be lawful for the said company to receive by grant, either from government or from any individuals or corporations, municipal or otherwise, either in Canada or elsewhere, as aid in the construction of the said railway, any vacant lots in the vicinity thereof or elsewhere, or any other real or personal property, exemptions from taxation, rights of way, or any sums of money, either as gifts or by way of bonus, or in payment of stock, and legally to dispose of the same, alienate the lands or other real or personal property, for the purposes of the said company, in carrying out the provisions of this act.

5. Charles H. Mackintosh, Alonzo Wright, M. P., J. Murray Mitchell, Hon. James Skead, Henry Large, F. W. Henshaw, J. M. Currier, M.P., Hon. W. Macdougall, M.P., Herbert R. Ives, W. McIntosh, W. A. Allen, L. P. Labouglie, Chas. Leduc, John Cosgrove, E. W. Murray, Luke Heney, James A. Gouin and W. G. Poupore, M. P. P., shall be and are hereby constituted a board of provisional directors of the company, five of whom shall form a quorum, and shall hold office as such until other directors shall be elected, under the provisions of this act, by the shareholders, and

Power to fill vacancies on board and open subscription books and make calls, &c., cause surveys, &c., to be made.

shall have power and authority to fill vacancies occurring therein, to open stock books and procure subscriptions for the undertaking, and to receive payment on account of stock subscribed, and make calls upon subscribers in respect of their stock, and to sue for and recover the same, and to cause surveys and plans to be made and executed, and to acquire any plans and surveys now existing, and to deposit, in any chartered bank of Canada, any sums of money received by them on account of stock subscribed, and to withdraw the same for the purposes of the undertaking, and to receive for the company any gift made to it in aid of the undertaking, and to enter into any agreement respecting the condition or disposition of any gift or bonus in aid of the railway, which agreement shall be binding upon the company, and generally to do all such other acts as such board, under the Quebec Consolidated Railway Act, 1880, may lawfully do. The said directors are hereby empowered to take all necessary steps for opening stock books for the subscription of parties, desirous of becoming shareholders in the said company: and all parties subscribing to the capital stock of the said company shall be considered proprietors and partners in the same

Meeting to elect directors.

6. When and so soon as one-tenth part of the capital stock, (which capital stock shall not be less than four hundred thousand dollars) shall have been subscribed, as aforesaid, either in municipal debentures, granted by way of bonus or otherwise, or in ordinary subscriptions by individuals to the capital stock, or partly in such municipal debentures and partly in such subscriptions, and one-tenth of the amount so subscribed paid in, the said directors, or a quorum of them, may close the stock books and call a meeting of shareholders, at such time and place as they think proper, giving at least one week's notice in one or more papers, in English and French, published in the district of Ottawa, and mailing a circular notice as well to each shareholder, at which said general meeting, and at the annual general meetings in the following sections mentioned, the shareholders, present either in person or represented by proxy, shall elect not less than five nor more than seven directors, in the manner and qualified as herein-after provided; which said directors shall constitute a board of directors, and shall hold office until the first Tuesday in January in the year following their election.

Number.

Duration of office.

Subsequent elections.

7. On the said first Tuesday in January, and on the first Tuesday in January in each year thereafter, at the principal office of the company, (which said principal office of

the company shall be in the city of Ottawa,) there shall be held a general meeting of the shareholders of the company, at which meeting the said shareholders shall elect a like number of not less than five nor more than seven directors for the then ensuing year, in the manner and qualified as hereafter provided; and public notice of such annual meeting and election shall be published, for one month before the day of election, in one or more newspapers, in French and English, if such there be in the district, as above provided, of Ottawa, and the election of directors shall be by ballot, and the persons, so elected, shall form the board of directors.

8. A majority of the directors shall form a quorum for the transaction of business, and the said board of directors, as well as the provisional board of directors, may employ one or more of their members as paid director or directors; provided, however, that no person shall be elected, unless he shall be the owner and holder of at least twenty shares of the stock of the said company, and shall not be in arrear on any calls that may have been made.

9. Any municipal council of a municipality which has given a bonus in aid of the said railway or its branches, amounting to not less than twenty thousand dollars, shall be entitled, during the construction of the railroad through the said municipality, but not afterwards, to appoint a person to be a director of the company, and such person shall be a director of the company in addition to all the other directors authorized by this act, or by the Quebec Consolidated Railway Act, 1880, or any other act; but such municipality shall incur no liability by the appointment of such director.

10. Any municipal council of a municipality, holding not less than fifty thousand dollars stock in the said railway, shall be entitled to appoint annually one person to be a director of the said company, and such person or persons shall be a director or directors of the said company, in addition to all the other directors authorized by this act.

11. The directors may, at any time, call upon the shareholders for instalments upon each share, which they or any of them may hold in the capital stock of the said company, in such proportions as they may see fit, no such instalment exceeding ten per cent; and the directors shall give one month's notice of such call, in such manner as they may appoint, and shall have, and are hereby vested, with powers to make by-laws regulating the forfeiture and cancellation of shares, whereon instalments remain unpaid.

Issue of paid  
up stock.

**12.** The directors of the company, elected by the shareholders, may make and issue as paid up stock, shares in the company, whether subscribed for or not, and may allot and hand over such stock as paid up stock and the mortgage bonds of the company, in payment of rights of way, plant, rolling stock, or materials of any kind, and also for the services of contractors, who may be engaged in promoting the undertaking and interests of the company; and such issue and allotment of stock or bonds shall be binding on the company, and the paid up stock shall be unassessable thereafter for calls.

Effect of such  
issue.

Power to ac-  
quire lands,  
&c.

**13.** The company may, with the consent of the owners, acquire and hold land, from which to obtain supplies of gravel, stone and filling, required by the company for their works, and may sell or convey the same, or any part thereof, when no longer required.

Power to sell,  
&c. lands, &c.

**14.** The company shall have power to sell, mortgage or lease any lands belonging to it, not necessary for the purposes of the said railroad, or received by it as a gift in aid thereof; and may, from time to time, for advances of money to be made thereon, mortgage or pledge any bonds, which they can under the provisions of this act, issue for the construction of the railway or otherwise.

Power to be-  
come party to  
bills and notes.

**15.** The said company shall have power and authority to become parties to promissory notes and bills of exchange, for sums not less than one hundred dollars, and any such promissory note, made or endorsed by the president or vice-president of the company, and countersigned by the secretary and treasurer of the company, and under the authority of a majority of a quorum of the directors, shall be binding on the said company; and every such promissory note or bill of exchange, so made, shall be presumed to have been made with proper authority, until the contrary be shown; and in no case shall it be necessary to have the seal of the said company affixed to such promissory note or bill of exchange; nor shall the said president or vice-president, or the secretary or treasurer, be individually responsible for the same, unless the said promissory note or bill of exchange have been issued without the sanction and authority of the board of directors, as herein provided and enacted; provided, however, that nothing in this section shall be construed to authorize the said company to issue notes or bills of exchange payable to bearer, or intended to be circulated as money, or as the notes or bills of a bank.

Seal thereon  
not necessary.

16. The directors of the said company are hereby authorized and empowered, after the sanction of the shareholders shall have been first had and obtained, at any special or general meeting to be called, from time to time, for such purpose, to issue bonds or debentures, which shall constitute and be considered to be a first and preferential charge on the undertaking, lands, buildings, tolls and income of the company, or any, either or all of them, as may be expressed by the said bonds or debentures, without the necessity for any registration thereof, or formal conveyance thereof; and such bonds or debentures shall be in such form, and for such amount, and payable in sterling money of Great Britain, francs or dollars, at such time and places, as the directors, from time to time, may appoint and direct; and the payment to the treasurer of the company, or to any other person appointed for the purpose by any *bona fide* purchaser of any of the lands in the fourth section of this act mentioned, of the purchase money thereof, and the acquittance of such treasurer, or other so appointed, of such purchase money, shall operate as a discharge *pro tanto* of the claim of the company, in respect of the lands so paid for; and, until other provisions be made therefor, the treasurer of such company, or other person so authorized, shall keep all monies so received, separate and apart from the ordinary funds of the company; and the money so received shall be invested, from time to time, in government securities, or in the stock of some solvent and well established chartered bank in Canada, for the formation of a fund for the payment of the interest on such debentures, as it becomes due, and for their redemption at maturity. The said bonds or debentures shall be signed by the president or vice-president, and countersigned by the secretary and treasurer, or either or both of such officers, as the directors may decide, and shall have the corporate seal of the company affixed thereto; provided that the amount of such bonds or debentures shall not exceed twenty thousand dollars per mile, to be issued in proportion to the length of the railway under contract, or to be constructed and by virtue of this charter; but no such debentures shall be for a less sum than one hundred dollars.

Issue of debentures.

Debentures do not require registration.

Effect of payment to treasurer of the company.

Such funds to be separately invested by treasurer.

Amount of issue of debentures limited.

Security for such debentures.

17. The said company may secure such bonds or debentures by a deed or deeds of mortgage, executed by the company, with the authority of its shareholders, expressed by a resolution, passed at any regular or special general meeting of shareholders; and any such deed or deeds may contain such description of property mortgaged by such deed, and such conditions set forth therein, respecting the payment of the bonds or debentures secured thereby, and

of the interest thereon, and the remedies which shall be employed by the holders of such bonds or by any trustee or trustees for them, in default of such payment and the enforcement of such remedies, and further to provide for forfeitures and penalties in default of such payment, and to provide generally for the maintenance of all obligations, entered into by the company with any bondholders, in such a manner as to make all security given valid, binding and according to law.

**18.** The directors of the said company, elected by the shareholders, in accordance with the provisions of this act, shall have power and authority to enter into and conclude any arrangement with any other chartered railway company or railway administration or other interested parties, for the purpose of making any branch or branches to facilitate a connection between this company and any other chartered railway company or railway administration.

**19.** It shall be lawful for the company to enter into any agreement with any other railway company or railway administration for amalgamation ; or for the utilization of any section, part or portion of any line, surveyed or prospected, and for which a charter has already been had and obtained within the Province of Quebec, or for the use or partial use of the railway of the company, or for leasing or for hiring from such other company any other railway or part thereof, or the use thereof, and for any period or term, or for the leasing or hiring of any locomotives, cars or movable property, and generally for making any agreement with any other company or railway administration, touching the use of the railway, or of the railway of the other company or railway administration, or touching any service to be rendered by the one to the other, and the compensation therefor ; provided that any such agreement, lease or contract, in this section mentioned or referred to shall be first approved of and authorized by the shareholders of the said company at a general meeting of the same, after two weeks' notice, by circular, and insertion of an advertisement, in French and English, in a newspaper, published in the said County of Ottawa, for at least two weeks.

**20.** It shall be lawful for the township council of a township, which has granted a bonus to any such amalgamating road, to legalize the payment thereof by a vote of the said council, and to issue its debentures for any subsidy, given towards any portion of the amalgamating railways ; provided always that the line of road runs within the



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boundaries of such township or its vicinity, as set forth in the original by-law under which such bonus was granted.

21. The said board of directors shall elect and appoint a president and a vice-president and the necessary officers, and fill up vacancies, from time to time; but the said president and vice-president shall be elected annually, immediately after the election of directors, except that in filling up a vacancy the election may be made at any time.

Officers to be appointed by the board.

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22. The said board of directors are hereby authorised to take all necessary steps for procuring stock, until the whole has been taken up, and to make, execute and deliver scrip and share certificates therefor, as they shall deem expedient.

Board may obtain subscriptions.

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23. Any deed of conveyance of land to the said company shall be in the form of Schedule A to this act annexed, and may be registered at full length, upon the affidavit of one of the witnesses to the execution thereof, made before one of the officers, usually authorized to receive the same; and a deed in such form, or in words of like import, shall be a legal and valid conveyance of the land and immovables therein mentioned, to all intents and purposes, and the enregistration thereof shall be of the same effect, as if such deed were executed before a notary.

Form of deed of conveyance.

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24. The directors of the said company may, if they see fit, use either iron or steel rails on any portion of the said railway; and the said directors shall also have power to build wooden tramways as branches, feeders or auxiliaries to the said railway, not to exceed, in the case of any branch, a length of fifteen miles, and to construct and use all such machinery and appliances for working the same as may be found useful and proper in such cases.

Rails may be either iron or steel and directors may build wooden tramways of a certain length, as branches.

25. The company shall have full power to acquire land for warehouses, elevators, factories, docks, stations, workshops, offices, and erect buildings thereon, and to dispose of any superfluous property connected therewith, and to acquire, hold and control as many steam or other vessels as the directors may deem requisite, from time to time, to facilitate the carriage of passengers, freight and other traffic, in connection with the aforesaid railway.

Power of company to acquire land, &c.

26. The powers, given by this act, shall be exercised by the commencement of the said railway within four years after the passing of this act, and its completion within ten years therefrom.

Railway to be begun and finished within a certain time.



Name of Act.      **27.** This Act shall be cited as the "Ottawa Colonization Railway Act."

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SCHEDULE A.

Know all men by these presents that I, A. B., in consideration of \_\_\_\_\_, paid to me by the Ottawa Colonization Railway Company, the receipt whereof is hereby acknowledged, grant, bargain, sell and convey, unto the said Ottawa Colonization Railway Company, their successors and assigns, all that tract or parcel of land (*describe the land*), to have and to hold the said land and premises unto the said company, their successors and assigns forever.

Witness my hand and seal, at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, one thousand eight hundred and \_\_\_\_\_

Signed, sealed and delivered  
in presence of

C. D.  
E. F.

} A. B.      [L. S.]

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CAP. LVIII.

An Act to incorporate "The Leeds and Eastern Townships Railway Company."

[Assented to 27th May, 1882.]

Preamble.

**W**HEREAS the construction of a railway, as herein after set forth, would be a great benefit to that portion of the province through which it will pass as well as the neighborhood thereof, and whereas a petition has been presented, praying for the passing of an act to incorporate a company authorized to construct such railway, and it is expedient to grant the prayer of the said petition; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts, as follows:

Certain persons incorporated.

**1.** Chas. Lionais, J. G. Robertson, Jas. R. Woodward, H. Gowen, John White, F. Oliver, L. A. Roberge, E. A. De St. George and Benj. Globensky, together with all such persons and corporations as may hereafter become share-

holders in the company hereby incorporated, shall be and are hereby constituted a body politic and corporate, under the name of "The Leeds and Eastern Townships Railway Company." Name of corporation.

2. The company is vested with all the rights and privileges required to build and work a railway, starting from some point in the township of Leeds, in the county of Megantic, through the township of Thetford, to a point on the Quebec Central Railway in the said township of Thetford, in order to connect with the same. Rights, &c., vested in company.

3. The company shall have all the powers conferred by the "Quebec Consolidated Railway Act, 1880," not inconsistent with the provisions of this act. Certain powers conferred.

4. The capital stock of the company shall be five hundred thousand dollars, divided into shares of fifty dollars each, but it may be increased, from time to time, by a vote of the majority in value of the shareholders, present in person or represented by proxy, at any meeting specially called for that purpose. Capital stock.

5. It shall be lawful for the company to receive, as aid in the construction of the said railway, any vacant lands or any real or personal property or any sums of money either as gifts or by way of bonus, or in payment of stock, and it may legally dispose of and alienate such lands and other real or personal property for the purposes of the company, on the authority of a majority of the directors. Aid to company.

6. Chas. Lionais, J. G. Robertson, Jas. R. Woodward, H. Gowen, John White, F. Oliver, L. A. Roberge, Benj. Globensky, and E. A. De St. George are hereby constituted a board of provisional directors of the company, and they shall remain in office until other directors are elected by the shareholders, in accordance with the provisions of the present act. And the directors shall have power and authority to fill vacancies occurring on the board, to open stock-books and obtain subscriptions to the capital stock of the undertaking, and call up instalments on the stock subscribed, to issue obligations, bonds or debentures, to become parties to promissory notes and bills of exchange, to commence and continue the construction and working of the said railway. Provisional directors. Power of directors.

7. The general meeting of the shareholders for the election of directors shall be held, each year, on the first Tuesday in May, in the city of Sherbrooke, at the time General meeting elect. directors.

and place indicated in the notice convening such meeting, and such notice shall be inserted in a newspaper published in the city of Sherbroke or in the district of Quebec, during the two weeks preceding the date of the meeting. Notice of other meetings of the shareholders shall be given in the manner prescribed by the by-laws of the company.

**Composition of board and quorum.** 8. The board of directors of the company shall be composed of seven members, four of whom shall be a quorum, who shall elect two of their number as president and vice-president. No one shall be elected a director, unless he be a shareholder, holding ten shares in the capital stock of the company and unless he has paid all the calls due thereon.

**Vacancies on board how filled.** 9. The directors or a majority of them may, from time to time, replace one or more directors who have died or resigned, by selecting, from amongst the shareholders, one or more persons duly qualified to be directors; and such directors, so appointed, shall remain in office until the following election of directors in the month of May, then next.

**Head-office.** 10. The principal place of business and the head-office of the company shall be in the city of Sherbrooke.

**Subscription to capital by certain corporations.** 11. All manufacturing or other companies, carrying on business, in whole or in part, in the province of Quebec, or elsewhere, even outside of the Dominion of Canada, and incorporated either by a special or by a general act, and all municipal corporations may subscribe to the capital stock and acquire and hold any number of shares of the said company and dispose of the same as they may think proper.

**Power of directors to borrow &c., issue debentures.** 12. The directors of the company are hereby authorized to borrow, either in Canada or elsewhere, all sums of money necessary to complete, maintain and work their railway; to issue mortgage bonds, bearing the seal of the company, and signed by the president, or other officer, acting as president, and countersigned by the secretary; and such bonds may be payable in such manner, at such place in Canada or elsewhere, and shall bear such rate of interest as the directors may deem advisable, and may be sold or pledged at the prices and on the terms and conditions they may deem fit; provided that the amount of such bonds so issued does not exceed the amount of the capital stock of the company.

**Limit of amount to be issued.**

13. The mortgage bonds, hereby authorized to be issued, shall, without registration or formal transfer and notwithstanding article 2130 of the civil code, be received and considered as a first claim and privileged debt against the company, its undertakings, tolls and revenues, and the movables and immovables which it now possesses or may hereafter acquire; and every holder of such bonds shall be deemed an hypothecary creditor as to such security, *pro ratâ* with all other bond-holders. Bonds need not be registered.

14. All bonds, debentures, hypothecs and other securities hereby authorized, and their coupons and certificates of interest due, may respectively be made payable to bearer, and in such case they shall be transferable by simple delivery, and the holder may sue for recovery thereof in his own name. Bonds may be payable to bearer.

15. The company shall have power and authority to become party to promissory notes and bills of exchange of not less than one hundred dollars, and any such promissory note or bill of exchange made, accepted or endorsed by the president or vice-president of the company, and countersigned by the secretary, under the authority of a majority of a quorum of the directors, shall be binding on the company; and every such promissory note or bill of exchange, so made, shall be presumed to have been duly made with the proper authority, until the contrary be shewn; and in no case shall it be necessary to have the seal of the company affixed to any promissory note or bill of exchange, nor shall the president, vice-president, secretary or treasurer of the company be individually responsible for the same, unless the said promissory note or bill of exchange has been issued without the sanction and authority of the board of directors, as herein provided and enacted. Company may become party to bills and notes, &c. Seal not necessary.

16. The directors may, at any time, call upon the shareholders for such instalments upon each share, which they or any of them may hold in the capital stock of the said company, and in such proportion as they may see fit. Except that no such instalment shall exceed ten per cent on the subscribed capital, and that one month's notice of each call shall be sent by mail to each shareholder. Calls.

17. The company may amalgamate with any other railway company, whose line it may cross, and it may make arrangements, for the passage of its cars and trains, with any line of railway situated along its line or which may cross the same. Power to amalgamate.

To acquire  
branches, &c.

It is also hereby authorized to make and complete all arrangements with any other railway company, for the purpose of acquiring any branch line or of facilitating connection between it and such other company, or of acquiring the corporate property or claims of such other company.

To make run-  
ning arrange-  
ments with  
other roads,  
and lease its  
line, &c.

It is also hereby authorized to make any arrangement with any such company to allow the passage of trains of any such company over its line, as also to lease to any such railway company the whole of its road or such portion thereof as may be built, on such conditions as the board of directors may deem expedient. The company shall also have the right to run its trains over any other line of railway which it may intersect, provided it obtains the consent of the company interested.

Canadian,  
British and  
foreign share-  
holders to have  
equal rights.

18. All shareholders in the company, whether British subjects or aliens, or residents of Canada or elsewhere, shall have equal right to hold stock in the company, and to vote on the same, and be eligible to any office in the company.

Contracts for  
works.

19. All contracts for works of construction or maintenance of the railway shall be made in the manner and according to the formalities prescribed by the by-laws of the board of directors of the said company, notwithstanding the second sub-section of section twenty-eight of the Quebec Consolidated Railway Act of 1880.

Forms of deeds  
of sale, &c.

20. All deeds or conveyances of land to the company, for the purposes of this act, and in so far as circumstances may permit, shall be in the form of schedule A, to this act annexed, or in any other form of similar tenor. And in order that all such deeds be duly registered, all registrars, in their respective counties, shall be furnished by and at the expense of the said company, with a book containing copies of the form given in the said schedule A or other form of similar tenor, which are to be printed on each page, leaving the necessary blanks to suit the circumstances upon each separate conveyance, and shall upon the production of any conveyance, enter the same in the said book, without any memorial, and shall minute the enregistration, or entry on the deed, and the registrar shall charge and receive from the said company, for all fees on such registration, fifty cents and no more, and such registration shall be deemed to be valid in law, any statute or provision of law to the contrary notwithstanding, and it shall, with respect to rights of ownership, servitudes, hypothecs and real rights, have the same effect as the registration prescribed by the Civil Code.

Their registra-  
tion.

21. This act shall, for all purposes whatsoever, be deemed valid and in full force and effect, as to such portion or portions of the said railway, which may be commenced within five years and completed within ten years from the passing of the act.

Commencement and completion of railway within certain time. a

22. It is further enacted that the twenty-fourth sub-section of section nineteen and the third sub-section of section twenty-eight of the Quebec Consolidated Railway Act, 1880, shall not form part of this act.

§ 25 of sec. 19 and § 3 of sec. 28 of Railway Act, not to form part of this act.

23. This act shall come into force on the day of its sanction.

Act in force.

SCHEDULE A.

DEED OF SALE.

Know all men by these presents that I, A.B., of the County of for and in consideration of the sum of to be paid by the Leeds and Eastern Townships Railway Company, which I acknowledge to have received, grant, bargain, sell and convey unto the said Leeds and Eastern Townships Railway Company all that tract or parcel of land (description of the property), the same having been selected and laid out by the said company, for the purposes of their railway, to have and to hold the said lands and premises unto the said company, their successors and assigns for ever.

Witness hand and seal at this day of one thousand eight hundred and

Signed, sealed and delivered in the presence of

C. D. } A. B.  
E. F. }

[L.S.]

CAP. LIX.

An Act to authorize the St. Andrews Junction Railway Company to amalgamate with other companies and to issue mortgage bonds.

[Assented to 27th May, 1882.]

WHEREAS the St. Andrews Junction Railway Company has, by its petition, represented that in furtherance

Preamble.



of its objects, it desires to issue bonds, and to have power to amalgamate with other railway companies, and has prayed that power be granted to it for such purposes, and it is expedient that the prayer of the said company be granted; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

- Power of company to amalgamate.** 1. The St. Andrews Junction Railway Company may amalgamate with any other railway company whose railway connects with its railway, and such amalgamation may be effected by a deed of amalgamation containing the conditions thereof; which conditions shall first be approved by the shareholders of the said St. Andrews Junction Railway Company at a special general meeting thereof called for the purpose. And the amalgamated company shall be known by the name of either of the amalgamating companies as shall be declared in such deed. But no such amalgamation shall affect the rights of the creditors of the said St. Andrews Junction Railway Company, all of which shall remain in full force, and such creditors shall be held to be and shall be creditors of the amalgamated company with all the remedies which they could have enforced against the said St. Andrews Junction Railway Company.
- Conditions to be approved.**
- Name of amalgamated company.**
- Creditors' rights not to be affected.**
- Issue of debentures to a certain amount.** 2. The said St. Andrews Junction Railway Company, or the amalgamated company, may issue bonds upon their railway, constituting a first mortgage thereon, to the extent of not more than twenty thousand dollars per mile.
- Act in force.** 3. This Act shall come into force on the day of its sanction.

C A P. L X X X V .

An Act to amend the law respecting subsidies in money to certain railways.

[Assented to 30th March, 1883.]

**H**ER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

- 40 Vict., c. 3, s. 3, §1 amended.** 1. Subsection 1 of section 3 of the act 40 Victoria, chapter 3, is amended by striking out, in the second line thereof, the words : " fifty six " and replacing them by the words : " fifty eight."



C A P. L X X X V I.

An Act to amend the Quebec Consolidated Railway Act, 1880, 43-44 Victoria, chapter 43.

[Assented to 30th March, 1883.]

**H**ER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. Section 59 of the Quebec Consolidated Railway Act, 43-44 Vict., c. 1880, 43-44 Victoria, chapter 43, is amended by substituting the word: "fifty" for the words: "twenty one" in the twelfth line of the first paragraph of the said section.

2. This act shall come into force on the day of its sanction.

C A P. L X X X V I I.

An Act to incorporate the "Great Northern Railway Company."

[Assented to 30th March, 1883.]

**W**HEREAS the construction of a railway, as hereinafter set forth, would be a great advantage to that portion of the Province through which it would pass, and the neighborhood thereof; and whereas a petition has been presented praying for the passing of an act to incorporate a company authorized to construct the same, and it is expedient to grant the prayer of such petition; Therefore Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. John Rankin, Chas. N. Armstrong, Leon A. Globensky, Benjamin Globensky, Q.C., J. de Ligny Armstrong, with all such other persons and corporations as shall become shareholders in the Company hereby incorporated, shall be and are hereby constituted a body corporate and politic by the name of the "Great Northern Railway Company" (hereinafter called "the Company"), and shall have all the powers and privileges conferred on such corporations by "The Quebec Consolidated Railway Act, 1880."

2. The head office and chief place of business of the Company shall be at the city of Montreal.

Power of company to build line of railway.

**3.** The Company and their agents and servants may lay out, construct, finish and operate a double or single line of railway, from a point on the river Ottawa, near the village of St. Andrews, in the county of Argenteuil, to such point on the line of the Piles branch of the North Shore Railway as may be most convenient, passing through the counties of Argenteuil, Two Mountains, Terrebonne, l'Assomption, Montcalm, Joliette, Berthier, Maskinongé, St. Maurice and Champlain, and passing by or near Lachute, St. Jérôme; and new Glasgow, and may also build such branches as may be necessary to open up the country on either side of the main line or to connect with other lines of railway; provided no such branch shall exceed fifteen miles in length; but the main line shall not extend further east than the Piles.

Capital stock.

**4.** The capital stock of the Company shall be one million dollars, to be divided into ten thousand shares of one hundred dollars each share, which amount shall be raised by the persons hereinbefore named, and such other persons and corporations as may become shareholders in the Company.

Provisional directors.

**5.** The said John Rankin, Charles N. Armstrong, Leon A. Globensky, Benjamin Globensky, Q.C., and J. de Ligny Armstrong, shall be and are hereby constituted the provisional Board of Directors of the Company, and shall hold office as such until the Directors shall be appointed, under the provisions of this Act, by the shareholders, and shall have power and authority to fill vacancies occurring therein; and the persons so appointed to fill vacancies shall thereupon become and be Directors of the Company equally with themselves; and the said provisional Directors shall have power to open stock books and procure subscriptions for the undertaking, to cause surveys and plans to be made and executed, and to call a general meeting of shareholders for the election of Directors, as hereinafter provided.

Power thereof.

First meeting for election of directors.

**6.** When and so soon as one-tenth part of the capital stock of the Company shall have been subscribed as aforesaid, and ten per centum thereof paid up, the said Directors, or a majority of them, may call a meeting of the shareholders at such time as they shall think proper, giving at least one month's notice, in one or more newspapers published at the city of Montreal, and in the district of Terrebonne, and in the Quebec Official Gazette; at which said general meeting and at the annual general meetings, in the following sections mentioned, the shareholders, present in person or represented by proxy, shall elect Directors in the

manner and qualified as hereinafter provided, to constitute the Board of Directors; and the said Directors so elected shall hold office till the first Tuesday in March in the year following their election.

7. On the said first Tuesday in March and on the first Tuesday in March in each year thereafter, at the principal office of the Company, there shall be held a general meeting of the shareholders of the Company, at which meeting the said shareholders shall elect the Directors for the then ensuing year, in the manner and qualified as hereinafter provided; and public notice of such annual meeting and election shall be published for one month before the day of election, one day in each week, in one or more newspapers published at the city of Montreal, and also in the Quebec Official Gazette, and the election of Directors shall be by ballot and the persons so elected shall form the Board of Directors; the number of the Directors to be so elected shall be settled by the by-laws of the Company, and shall not be less than five nor more than nine.

8. A majority of the directors shall form a quorum for the transaction of business, and the said Board of Directors may employ one or more of their number as paid Director or Directors; provided, however, that no person shall be elected as Director unless he shall be the holder and owner of at least one hundred shares of the stock of the Company, and shall have paid up all calls upon the said shares.

9. The directors may, at any time, call upon shareholders for instalments upon each share which they or any of them may hold in the capital stock of the Company, in such proportion as they may see fit; no such instalment exceeding ten per cent, and the Directors shall give one month's notice of such call in such manner as they may appoint.

10. The Directors of the Company, elected by the shareholders, may make and issue, as paid-up stock, shares in the Company, whether subscribed for or not, and may allot and hand over such stock as paid-up stock, and the mortgage bonds of the Company, in payment of right of way, plant, rolling stock or material of any kind, and also for the services of contractors, engineers and other persons in the service of the Company; and such allotment and issue of stock or bonds shall be binding on the Company, and the paid-up stock shall be unassessable thereafter for calls.

Power to issue mortgage bonds.

**11** The Directors of the Company shall have power, and they are hereby authorized to issue mortgage bonds, made and signed by the President or Vice-President of the Company, and countersigned by the Secretary and Treasurer, and under the seal of the Company, for the purpose of raising money for prosecuting the said undertaking; and such bonds shall, without registration or formal conveyance, be taken and be considered to be the first and preferential claims and charges upon the undertaking and the tolls and property of the Company, real and personal, then existing and at any time thereafter acquired; provided the amount of such debentures does not exceed twenty thousand dollars per mile, and that they be issued in proportion as the length of road is being built, by sections of not less than ten miles, and received by the Government; and provided also, that in the event at any time of the interest upon the said bonds remaining unpaid and owing, then, at the next ensuing annual general meeting of the Company and at all other general meetings of the Company and at all other general meetings, so long as the said default shall continue, all holders of bonds shall have and possess the same rights and privileges and qualifications for directors and for voting as they would have had, if the bonds they held had been shares; provided that the bonds and any transfers thereof shall have first been registered in the same manner as is provided for the registration of shares; and it shall be the duty of the Secretary of the Company to register the same, on being required so to do by any holder thereof.

Proviso as to amount.

Contents of deed securing mortgage bonds and powers of trustees thereunder.

**12.** And the Company may secure such bonds by a deed or deeds of mortgage executed by the Company; and any such deed may contain such description of the property mortgaged by such deed, and such conditions respecting the payment of the bonds secured thereby and of the interest thereon, and the remedies which shall be enjoyed by the holders of such bonds, or by any trustee or trustees for them in default of such payment and the enforcement of such remedies, and may provide for such forfeitures and penalties in default of such payment, and may also contain authority to the trustee or trustees, upon such default, as one of such remedies, to take possession of the railway and property mortgaged, and to hold and run the same for the benefit of the bondholders thereof, for a time to be limited by such deed, or to sell the said railway and property after such delay and upon such terms and conditions as may be stated in such deed; and any such deed may contain provisions to the effect that upon such default, and upon such other conditions as shall be described in such deed, the right

of voting possessed by the shareholders of the Company, shall cease and determine, and shall thereafter appertain to the bondholders; and such deed may also provide for the conditional or absolute cancellation after such sale of any or all of the shares so deprived of voting power, and may also, either directly by its terms, or indirectly by reference to the by-laws of the Company, provide for the mode of enforcing and exercising the powers and authority to be conferred and defined by such deed, under the provisions hereof; and such deed and the provisions thereof, made under the authority hereof and such other provisions thereof, as shall purport to grant such further and other powers and privileges to such trustee or trustees and to such bondholders, as are not contrary to law or to the provisions of this Act, shall be valid and binding; but, if any change in the ownership or possession of the said railway and property shall, at any time, take place under the provisions hereof, or of any such deed, or in any other manner, the said railway and property shall continue to be held and operated under the provisions hereof and of "The Quebec Consolidated Railway Act, 1880," as hereby modified.

13. The bonds authorized by this Act to be issued by the company may be so issued in whole or in part, in the denomination of dollars, pounds sterling, or francs, or in any or all of them, and the coupons may be for payment in denominations similar to those of the bond to which they are attached; and the whole or any of such bonds may be pledged, negotiated or sold upon such conditions and at such price as the Board of Directors shall from time to time determine.

Bonds how and in what currency issued.

14. It shall not be necessary, in order to preserve the priority, lien, charge, mortgage, or privilege, purporting to appertain to or be created by any bond issued, or mortgage deed executed under the provisions of this Act, that such bond or deed should be registered in any manner, or in any place whatever; and a copy of any such mortgage deed, or agreement, certified to be a true copy by the Secretary, shall be received as *prima facie* evidence of the original in all courts of justice, without proof of the signatures or seal upon such original.

Registration of deed not necessary to secure mortgage.

15. The Company shall have power and authority to become parties to promissory notes and bills of exchange of not less than one hundred dollars; and any such promissory note or bill of exchange made, accepted or endorsed by the President or Vice-President of the Company, and countersigned by the Secretary and Treasurer under the

Power of company to become parties to promissory notes, &c.

Seal thereon  
not necessary.

Proviso.

authority of a majority of a quorum of the Directors, shall be binding on the Company; and every such promissory note or bill of exchange so made shall be presumed to have been duly made with the proper authority until the contrary be shown; and in no case shall it be necessary to have the seal of the Company affixed to any promissory note or bill of exchange; nor shall the President or Vice-President, or the Secretary and Treasurer of the Company be individually responsible for the same, unless the said promissory note or bill of exchange has been issued without the sanction and authority of the Board of Directors as herein provided and enacted; provided, however, that nothing in this section shall be construed to authorize the Company to issue notes or bills of exchange payable to bearer or intended to be circulated as money, or as the notes or bills of a bank.

Company may  
construct, tele-  
graph and tele-  
phone lines

14. The Company shall have full power and authority to construct, work and operate a line or lines of telegraph or telephone, or both, in connection with and along the line of their railway and branches.

Company may  
erect &c.,  
docks, whar-  
ves, &c.

15. The Company shall have power and authority to erect and maintain docks, dock-yards, wharves, slips, piers, and warehouses at any point on or in connection with the said railway, and at all the termini thereof on navigable waters, for the convenience and accommodation of vessels and elevators, and also to acquire and work elevators, and to acquire, own, hold, charter, work and run steam and other vessels for cargo and passengers upon any navigable waters which the Great Northern Railway Company may reach or connect with.

Company may  
enter into ne-  
cessary arran-  
gements &c.  
with other  
companies.

16. The Company may enter into any arrangement with any other Railway Company, for leasing the said railway or any part or branch thereof, or the use thereof, at any time or for any period, or for leasing or hiring from the said Company, any railway or any part or branch thereof or the use thereof, at any time or times and for any period; provided that the term of such amalgamation, acquisition, lease, sale, arrangement or agreement are sanctioned by a majority of shareholders, present in person or represented by proxy, at a special general meeting called for the purpose of considering the same; and the Company shall also have the power to enter into any arrangement with any other railway company for leasing or hiring, as lessors or lessees, any locomotives, tenders, cars, or other rolling stock or moveable property from or to any such company or any company or individuals; and generally to make



any agreement or arrangement with any other such company touching the use by one or the other or by both, of the said railway or rolling stock or moveable property of either or both, or any part thereof, or touching any service to be rendered by the one to the other and the compensation therefor.

19. The company shall have power to amalgamate or make arrangements with any line of railway, which shall cross or join its line, and shall also have full power and authority to enter into and conclude any arrangements with any other railway company, for the purpose of acquiring any branch or branches to facilitate the connection between the company hereby incorporated and such other railway company, or to acquire the corporate property and franchise of any other company.

20. Except as otherwise provided by this act, every railway, in the Province of Quebec, acquired by the Company either by purchase or amalgamation and every branch in the Province of Quebec, made or acquired by the Company, in pursuance of any arrangement under the provisions of this act, shall be held and deemed to be, according to the true intent and meaning of the "Quebec Consolidated Railway Act, 1880," a railway constructed under the authority of an act passed by the Legislature of Quebec.

21. All shareholders in the Company, whether British subjects or aliens, or residents in Canada or elsewhere, shall have equal rights to hold stock in the Company, and to vote on the same, and shall be eligible to any office in the Company; provided the majority of the directors be British subjects.

22. All deeds and conveyance of lands to the Company for the purposes of this Act, in so far as circumstances will admit, may be in the form of the Schedule to this Act subjoined.

23. The construction of the railway shall be commenced during the year 1883, and shall be completed within five years from the passing of this act.

24. This charter shall come into force by proclamation, which shall be issued only after the Lieutenant Governor in council shall, within twelve months of the sanction of the present act, have proof that the said company is in a position to carry out its undertaking.



## SCHEDULE.

## DEED OF SALE.

Know all men by these presents that \_\_\_\_\_ of \_\_\_\_\_ in the county of \_\_\_\_\_, for and in consideration of the sum of \_\_\_\_\_ to, \_\_\_\_\_ paid by the "Great Northern Railway Company," which acknowledge to have received, do grant, bargain, sell and convey unto the said the "Great Northern Railway Company," their successors and assigns, all that tract or parcel of land (*describe the land*), the same having been selected and laid out by the said Company, for the purposes of their railway, to have and to hold the said lands and premises unto the said Company, their successors and assigns for ever.

Witness \_\_\_\_\_ hand and seal  
at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ one thousand  
eight hundred and \_\_\_\_\_

Signed, sealed and delivered }  
in the presence of \_\_\_\_\_ } A. B. [L. S.]  
C. D. }

## CAP. LXXXVIII.

An Act to amend and consolidate the various Acts respecting the Quebec and Lake St. John Railway Company.

[Assented to 30th March, 1883.]

Preamble.

**W**HEREAS the Quebec and Lake St. John Railway Company has by its petition represented, that it is necessary to amend and consolidate the various acts relating to its incorporation, its privileges and powers, and whereas it is expedient to grant the prayer of the said petition ;

Therefore, Her Majesty by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Act repealed. 1. The Acts 32 Vict., chap. 53, 34 Vict., chap. 24, 35 Vict., chap. 24, 38 Vict., chap. 46, and 43-44 Vict., chap. 46, are hereby repealed.

2. The corporation, created and existing under the said "Quebec & Lake St. John Railway Co.," Acts, is continued under the name of "The Quebec and Lake St. John Railway Company," and this Act shall be continued.

held and taken to be the special Act incorporating the said Company.

3. The Company may construct and work a single or double track railway, starting from some point on their line of railway now constructed, or from some point in the City of Quebec, and ending at Lake St. John. The Company may also construct and work branch lines, extending from its main line, and any other branch lines which it may be deemed advisable to construct; provided that no such branch line shall exceed fifteen miles in length.

The company shall be obliged to complete the road, as far as the southern extremity of the island of Lake Edward, by the thirty first day of December, one thousand eight hundred and eighty five, and as far as Lake St. John, by the thirty first day of December, one thousand eight hundred and eighty-seven.

4. The head office of the Company shall be in the City of Quebec; but the Board of Directors may establish one or more offices in foreign countries and confide the management thereof to Agents, whose duties and powers shall be determined by the resolution of the Board appointing them to such office.

5. The capital stock of the Company shall be three million five hundred thousand dollars, divided into shares of one hundred dollars each.

6. The Board of Directors of the Company shall be composed of seven members, (four of whom shall form a quorum), who shall elect a president and vice-president from amongst their number, and qualified according to law.

7. The Board of Directors now in office, namely, Messieurs Theophile Ledroit, Simon Peters, Frank Ross, the Honorable David Alexander Ross, Jean Docile Brousseau, Thomas A. Piddington, Roch Pamphile Vallee, and the Mayor of Quebec (*ex officio*) shall continue to act until the first regular meeting for the election of Directors.

8. The annual general meeting of the shareholders of the Company, for the election of directors, shall be held on the second Thursday, in May, at the place and hour specified in the notice calling such meeting.

This notice shall be inserted in one newspaper published in the French language and in one in the English language.

ge in the City of Quebec during two weeks preceding the date of such meeting.

Notice of the other meetings shall be given in the manner prescribed by the by-laws of the Company.

Directors of  
Company may  
make and  
issue shares  
and stock as  
paid up stock.

9. The directors of the company may make and issue, as paid up stock, shares in the Company, whether subscribed for or not, and may allot and hand over such stock as paid up stock, and the mortgage bonds of the Company, in payment of right of way, plant, rolling stock, or material of any kind, and also for the services of contractors, engineers and other employees of the Company; and such allotment of such stock shall be binding on the Company, and the paid up stock shall be unassessable thereafter for calls.

Directors shall  
have power to  
issue mort-  
gage bonds.

10. The Directors of the Company, after a resolution, authorising them so to do, has been passed at any special or general meeting of the shareholders, to be called for such purpose, shall have power and they are hereby authorised to issue mortgage bonds, made and signed by the president, or vice-president, and countersigned by the secretary and treasurer, and under the seal of the Company, for the purpose of raising money for prosecuting and completing the said undertaking.

Bonds shall  
carry mort-  
gage.

The said bonds shall carry a mortgage upon the Railway and all the plant, rolling-stock and material necessary for the working thereof, and upon all the buildings, stations and station grounds, and generally upon all the lands, property and material necessary and strictly appertaining to the working and running of the Railway; provided that the total issue of bonds shall not exceed the sum of twenty thousand dollars per mile of the entire length of the said Railway.

Proviso.

Company may  
execute deed  
of trust pre-  
vious to the  
issue of bonds.

11. The company may, previous to the issue of such bonds, on being authorized thereto by a resolution of the shareholders of the said company, execute a deed of trust, to be signed, on behalf of the company, by some person authorized to that effect by a resolution of the board of directors, with a trustee, or trustees, to be chosen by the said board, and such trustee, or trustees, shall act, for the purposes of the said trust, as agent for the bondholders, and in the event of his or their death, resignation, or incapacity to act as trustee or trustees, be replaced by another, or others, to be chosen by the bondholders who shall have registered their bonds in the manner hereinafter provided. The said trust deed may contain a description of the property hypothecated for security of the payment of the said

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bonds; and may also provide for the manner in which the said trustee or trustees may, in the event of any default being made in the payment of the said bonds or of the interest coupons attached thereto, take possession of the said railway on behalf of the said bondholders, and hold the same for such time as may be limited by the said deed, and run the said railway during such time for the benefit of the said bondholders, and sell the same for their like benefit, after such delay, and upon such terms and conditions as may be stated in such deed. And with such authority, any such deed may contain provisions to the effect that, upon such default, and upon such other conditions as shall be described in such deed, the right of voting, possessed by the shareholders of the company, shall cease and determine, and shall thereafter appertain exclusively to the bondholders; provided, however, that the bonds, and any transfers thereof shall have been first registered in the same manner as is provided for the registration of shares, at least one week previous to the date of any general meeting; and it shall be the duty of the Secretary of the Company to register the same on being required so to do by any holder thereof, or by any holder of any transfer thereof. And such deed may also provide for the conditional or absolute cancellation, after such sale, of any or all of the shares so deprived of voting power, and may also either directly by its terms or indirectly by reference to the by-laws of the company, provide for the mode of enforcing and exercising the powers and authority to be conferred and defined by such deed, under the provisions thereof; and such deed and the provisions thereof, made under the authority hereof, and such other provisions thereof, as shall purport to grant such further and other powers and privileges to such trustee or trustees, and to such bondholders, as are not contrary to law, or to the provisions of this act, shall be valid and binding. But if any change in the ownership or possession of the said railway and property shall, at any time, take place under the provisions hereof, or of any such deed, or in any other manner, the said railway and property shall continue to be held and operated under the provisions hereof, and of "The Quebec Consolidated Railway Act, 1880," as hereby modified. Provided that, in no case, shall the corporation of the city of Quebec lose its right to be a shareholder in the said Company, in the event of the shares of such company being cancelled, under the said trust deed; such cancellation shall not apply to the shares owned by the corporation of the said city, which shall continue to be represented on the board of directors, and shall be entitled to the net revenues of the said road, after the interest on the bonds shall have been paid.

What trust deed shall provide.

Cancellation of shareholders' rights in certain event.

City of Quebec is no case shall lose its rights as shareholder.

All bonds to contain a reference to the said trust deed

**12.** All bonds, issued under such trust deed, and to which the said deed may be applicable, shall contain on their face a reference to the said trust deed, and state that the same is deposited in the office of the Provincial Secretary.

Not necessary that bond or deed be registered.

**13.** It shall not be necessary, in order to preserve the priority, lien, charge, mortgage or privilege, purporting to appertain to, or be created by any bond issued or trust deed executed under the provisions of this Act, that such bond or deed should be registered in any manner, or in any place whatever; but every such trust deed shall be deposited in the office of the Provincial Secretary, of which deposit notice shall be given in the Quebec Official Gazette, and a copy of any such trust deed or agreement, certified to be a true copy by the Provincial Secretary, or his deputy, shall be received as evidence of the original in any court of justice, without proof of the signatures, or seal upon such original.

Bondholders to continue to have right of voting.

Proviso.

**14.** The bondholders who, at the time of the coming into force of this act, may have, under previous acts, the right of voting at all meetings of shareholders, shall retain such right; provided, however, that their bonds and any transfers thereof shall have been first registered in the manner hereinbefore provided.

Wherever railway crosses Crown Lands Company not bound to construct fences, &c.

**15.** Wherever the railway crosses Crown Lands, the company shall not be bound to construct along the road either fences or ditches, road or farm crossings, so long as such lands are not occupied and settled by *bona fide* settlers, in lawful possession of the lands occupied by them.

Sections 15 to 22 of 38 Vict., chap. 46, continued and amended.

**16.** Sections 15 to 22, inclusively, of the Act 38 Victoria, chapter 46, are hereby continued and confirmed, and shall continue to have force and effect.

Company shall have power and authority to become parties to promissory notes, &c.

**17.** The Company shall have power and authority to become parties to promissory notes and bills of exchange for sums of not less than one hundred dollars; and any such promissory note made or endorsed by the president or vice-president of the company, and countersigned by the secretary and treasurer, and under the authority, general or special, of a majority of a quorum of the directors, shall be binding on the company; and, in no case shall it be necessary to have the seal of the company affixed to such promissory note or bill of exchange; nor shall the president or vice-president, secretary or treasurer, be individually responsible for the same, if so issued; provided, however,

Proviso.

that nothing in this section shall be construed to authorize the company to issue notes or bills of exchange, payable to bearer, or intended to be circulated as money, or as the notes or bills of a bank

18. All things which have been duly done and performed under the Acts hereby repealed are confirmed and ratified, in so far as they are conformable to law, and none of the provisions of this Act shall affect pending cases, or anything which may have been commenced under previous statutes, and before the date at which this Act shall come into force.

Confirmation of that which has been done.

19. All shareholders in the Company, or bondholders thereof, whether British subjects or aliens, or residents of Canada or elsewhere, shall have equal rights to hold office, &c. in the Company, and to vote on the same and to be eligible to office in the Company; provided the majority of the directors be British subjects.

Rights of share and bond-holders to hold office, &c. Provide.

20. It shall be lawful for the said Company, if it be deemed desirable to do so, to change the present location of the line between the city of Quebec and Jacques-Cartier Bridge, provided the said new line shall commence within the said city and join the existing line between Quebec and the Jacques-Cartier River.

Location of line may be changed.

21. All deeds or conveyances of land to the company, for the purposes of this Act, and in so far as circumstances may permit, shall be in the form of Schedule A, to this Act annexed, or in any other form of similar tenor. And in order that all such deeds be duly registered, all registrars in their respective counties, shall be furnished by and at the expense of the said company, with a book containing copies of the form given in the said Schedule A, or other form of similar tenor, which are to be printed on each page, leaving the necessary blanks to suit the circumstances upon each separate conveyance, and shall, upon the production of any conveyance, enter the same in the said book, without any memorial, and shall minute the enregistration, or entry on the deed, and the registrar shall charge and receive from the said company, for all fees on such registration, or entry on the deed, fifty cents and no more, and such registration shall be deemed to be valid in law, any statute or provision of law to the contrary notwithstanding, and it shall, with respect to rights of ownership, servitudes, hypothecs and real rights, have the same effect as the registration prescribed by the Civil Code.

Form of deed of conveyance to be used.

Registration thereof.

22. This Act shall come into force on the day of its sanction.

Act in force.



## SCHEDULE A.

## DEED OF SALE.

Know all men by these presents, that I, A. B., of  
 in the County of \_\_\_\_\_ for and in consideration of the  
 sum of \_\_\_\_\_ to me paid by the Quebec and Lake St.  
 John Railway Company, which I acknowledge to have  
 received, hereby grant, bargain, sell and convey unto the  
 said the Quebec and Lake St. John Railway Company all  
 that tract or parcel of land (*description of the property*), the  
 same having been selected and laid out by the said Company,  
 for the purposes of their railway, to have and to hold the  
 said lands and premises unto the said Company, their  
 successors and assigns for ever.

Witness \_\_\_\_\_ hand and seal  
 at \_\_\_\_\_ this  
 \_\_\_\_\_ day of  
 one thousand eight hundred and \_\_\_\_\_

Signed, sealed and delivered }  
 in the presence of }  
 C. D. } A. B.  
 E. F. } L. S.

## CAP. LXXXIX.

An Act to incorporate the Papineau Seigniori Railway  
 Company.

[Assented to 30th March, 1883.]

Preamble.

**W**HEREAS the persons hereinafter named and others  
 have, by their petition, represented that the con-  
 struction of a line of railway from a point, either between  
 the villages of Montebello and Papineauville or in the  
 neighborhood of the said villages to connect at the most  
 convenient point with the Canadian Pacific Railway, fol-  
 lowing a general northerly direction to connect with the  
 extension of the St. Jérôme Branch Railway, in the county  
 of Ottawa, would develop and promote the agricultural,  
 mineral and timber resources of the district, by supplying  
 a ready means of communication with the main lines of  
 railway; and whereas the persons hereinafter named have  
 prayed to be incorporated as a company for constructing,  
 equipping and working such railway; and whereas it is  
 expedient to grant the prayer of the said petition; There-



fore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. Louis Duhamel, M.D., M.P.P., W. Owens, M.P.P., N. Bourassa, F. Samuel Mackay, Hyacinthe Noé Raby, N.P., Ed. Leduc, Julien B. St. Pierre, Antoine Longpré, M.D., A. S. Camille Papineau, Ephrem Rochon, priest, J. P. Bélanger, priest, A. M. Bourassa, priest, Hercule Chenier, J. E. Dacier, priest, W. H. Pambrun, L. D. Fortin, Emile Quesnel, N. Chené, P. A. Quesnel, Louis Hotte, D. Desjardins, J. Hortie, H. Gareau, F. Marcotte, S. Aubuchon, M.D., O. Rochon, G. Genest, M. Favier, J. Dauvissat, Chas. Major, F. Leduc, Esquires, with all such other persons and corporations as shall become shareholders in the company hereby incorporated, shall be and are hereby constituted a body corporate and politic, by the name of the "Papineau Seigniorly Railway Company," and shall have all powers appertaining to railway corporations in general, and the powers and privileges conferred on such corporations by the Quebec Consolidated Railway Act, 1880, subject to the provisions hereinafter mentioned.

Persons incorporated.

Name and powers.

2. The company and their agents and servants may lay out, construct and finish a single or double line of railway of such width or gauge as the company may see fit, from a point either between the villages of Montebello and Papineauville or in the vicinity of such villages, most convenient for connection with the Canadian Pacific Railway, and following a general northerly direction to connect with the extension of the St. Jérôme Branch, in the said county of Ottawa.

Company may construct a single or double line of railway.

L. S.

3. The capital stock of the company shall not exceed, in the whole, the sum of one million dollars, with power to increase the same, as provided by the Quebec Consolidated Railway Act, 1880, to be divided into twenty thousand shares of fifty dollars each ; which amount shall be raised by the persons hereinafter mentioned and such other persons and corporations as may become shareholders in the said company. The money so raised shall be applied, in the first place, to the payment of all fees, expenses and disbursements connected with the passing of this act, and for making the surveys, plans and estimates connected with this road and the remainder of such money shall be applied towards making, completing and maintaining the said railway and for other purposes of this act.

Capital stock.

Application of moneys raised.

4. It shall be lawful for the said company to receive by grant, either from government or from any individuals or

Lawful for company to

receive vacant lots, &c. in aid of railway. corporations, municipal or otherwise, either in Canada or elsewhere, as aid in the construction of the said railway, any vacant lots in the vicinity thereof or elsewhere, or any other real or personal property, exemptions from taxation, rights of way, or any sums of money, either as gifts or by way of bonus, or in payment of stock, and afterwards legally to dispose of the same, and alienate the lands or other real or personal property, for the purposes of the said company, in carrying out the provisions of this act.

Board of provisional directors and powers thereof.

5. Louis Duhamel, M.D., M.P.P., W. Owens, M.P.P., Hyacinthe Noé Raby, N.P., Ed. Leduc, Julien B. St. Pierre, Antoine Longpré, M.D., A. G. Camille Papineau, Ephrem Rochon, priest, J. P. Bélanger, priest, A. M. Bourassa, priest, Hercule Chenier, J. B. Dacier, priest, W. H. Pambrun, L. D. Fortin, Emile Quesnel, N. Chené, P. A. Quesnel, Louis Hotte, C. Desjardins, J. Hortie, H. Gareau, F. Marcotte, S. Aubuchon, M.D., O. Rochon, G. Genest, M. Favier, J. Dauvissat, Chas. Major and F. Leduc, shall be and are hereby constituted a board of provisional directors of the company, five of whom shall form a quorum, and shall hold office as such until other directors shall be elected, under the provisions of this Act, by the shareholders. They shall have power and authority to fill vacancies occurring therein, to open stock books and procure subscriptions to the undertaking, and to receive payment on account of stock subscribed, and make calls upon subscribers in respect of their stock, and to sue for and recover the same, and to cause surveys and plans to be made and executed, and to acquire any plans and surveys now existing, and to deposit, in any chartered bank of Canada, any sums of money received by them on account of stock subscribed, and to withdraw the same for the purposes of the undertaking, and to receive for the company any gift made to it in aid of the undertaking, and to enter into any agreement respecting the condition or disposition of any gift or bonus in aid of the railway, which agreement shall be binding upon the company, and generally to do all such other acts as such board, under the Quebec Consolidated Railway Act, 1880, may lawfully do. The said directors are hereby empowered to take all necessary steps for opening stock books for the subscription of parties desirous of becoming shareholders in the company; and all parties subscribing to the capital stock of the company shall be considered proprietors and partners in the same.

Power to open stock books.

First meeting for election of directors.

G. When and so soon as one-tenth part of the capital stock (which capital stock shall not be less than four hundred thousand dollars) shall have been subscribed, as

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aforsaid, either in municipal debentures, granted by way of bonus or otherwise, or in ordinary subscriptions by individuals subscribing to the capital stock, or partly in such municipal debentures and partly in such subscriptions, and one-tenth of the amount so subscribed paid in, the said directors, or a quorum of them, may close the stock books and call a meeting of shareholders, at such time and place as they think proper, giving at least one week's notice in one or more papers, in English and French, published in the district of Ottawa, and mailing a circular notice as well to each shareholder. At such said general meeting in the following sections mentioned, the shareholders present, either in person or represented by proxy, shall elect not less than five nor more than seven directors, in the manner and qualified as hereinafter provided; which said directors shall constitute a board of directors of the company, and shall hold office until the first Tuesday in January in the year following their election.

7. On the said first Tuesday in January, and on the first Tuesday in January in each year thereafter, at the principal office of the company (which shall be in the village of St. André Avelin), there shall be held a general meeting of the shareholders of the company, at which meeting the said shareholders shall elect a like number of not less than five nor more than seven directors for the then ensuing year, in the manner and qualified as hereafter provided. Public notice of such annual meeting and election shall be published, for one month before the day of election, in one or more newspapers, in French and English, if such there be, in the district of Ottawa, as above provided, and the election of directors shall be by ballot, and the persons so elected shall form the board of directors of the company.

8. A majority of the directors shall form a quorum for the transaction of business, and the board of directors, as well as the provisional board of directors, may employ one or more of their members as paid director or directors; provided, however, that no person shall be elected unless he shall be the owner and holder of at least twenty shares of the stock of the company and shall not be in arrear on any calls that may have been made.

9. Any municipal council of a municipality, which has given a bonus in aid of the said railway or its branches, amounting to not less than ten thousand dollars, shall be entitled, during the construction of the railroad through the said municipality, but not afterwards, to appoint a person to be a director of the company, and such person

shall be a director of the company in addition to all the other directors authorized by this Act, or by the Quebec Consolidated Railway Act, 1880, or any other Act; but such municipality shall incur no liability by the appointment of such director.

**10.** Any municipal council of any municipality, holding not less than fifty thousand dollars stock in the said railway, shall be entitled to appoint annually a person to be a director of the said company, and such person shall be a director of the said company, in addition to all the other directors authorized by this Act.

**11.** The directors may, at any time, call upon the shareholders for instalments upon each share, which they or any of them may hold in the capital stock of the said company, in such proportions as they may see fit, no such instalment exceeding ten per cent; and the directors shall give one month's notice of such call in such manner as they may appoint, and shall have, and are hereby vested, with powers to make by-laws regulating the forfeiture and cancellation of shares whereon instalments remain unpaid.

**12.** The directors of the company, elected by the shareholders, may take and issue as paid up stock, shares in the company, whether subscribed for or not, and may allot and offer such stock as paid up stock, and the mortgage bonds of the company, in payment of land, right of way, plant, rolling stock or material of any kind, and also for the services of contractors, engineers and other persons, who may have been, are, or may be engaged in promoting the undertaking and interests of the company. Such issue and allotment of stock or bonds shall be binding on the company, and the paid up stock shall be unassessable thereafter for calls.

**13.** The company may, with the consent of the owners, acquire and hold land, from which to obtain supplies of gravel, stone and filling required by the company for their works, and may sell or convey the same, or any part thereof when no longer required.

**14.** The company shall have power to sell, mortgage or lease any lands belonging to it, not necessary for the purposes of the said railroad, or received by it as a gift in aid thereof; and may, from time to time, for advances of money to be made thereon, mortgage or pledge any bonds which they may, under the provisions of this act, issue for the construction of the railway or otherwise.

15. The said company shall have power and authority to become parties to promissory notes and bills of exchange, for sums not less than one hundred dollars; and any such promissory note made or endorsed by the president or vice-president of the company, and countersigned by the secretary and treasurer of the company, and under the authority of a majority of a quorum of the directors, shall be binding on the said company; and every such promissory note or bill of exchange so made shall be presumed to have been made with proper authority, until the contrary be shown.

Power to become parties to promissory notes &c.

In no case shall it be necessary to have the seal of the said company affixed to such promissory notes or bills of exchange; nor shall the said president or vice-president or the secretary or treasurer, be individually responsible for the same, unless the said promissory notes or bills of exchange have been issued without the sanction and authority of the board of directors, as herein provided and enacted; provided, however, that nothing in this section shall be construed to authorize the said company to issue notes or bills of exchange payable to bearer or intended to be circulated as money, or as the notes or bills of a bank.

Seal thereon not necessary.

President &c. not personally responsible.

Proviso.

16. The directors of the said company are hereby authorized and empowered, after the sanction of the shareholders shall have been first obtained at any special or general meeting to be called, from time to time, for such purpose, to issue bonds or debentures, which bonds or debentures shall constitute and be considered to be a first and preferential charge on the undertaking, lands, buildings, tolls and income of the company, or any, either or all of them, as may be expressed by the said bonds or debentures, without the necessity for any enregistration thereof, or formal conveyance thereof; and such bonds or debentures shall be in such form, and for such amount, and payable in Canadian currency, or dollars, or in francs, if payable in a foreign country, at such times and places, as the directors, from time to time, may appoint and direct.

Directors may issue mortgage bonds.

The payment to the treasurer of the company, or to any other person appointed for the purpose, by any purchaser of any of the lands in the fourth section of this act mentioned, of the purchase money thereof, and the acquittance of such treasurer, or other person so appointed, of such purchase money, shall operate as a discharge *pro tanto* of the claim of the company in respect of the lands so paid for; and, until other provisions be made therefor, the treasurer of such company, or other person so authorized, shall keep all monies so received, separate and apart from the ordinary funds of the company, and the money so received shall be invested, from time to time, in government

Payments to company for lands, &c.

securities or in the stock of some solvent and well established chartered bank in Canada, for the formation of a fund for the payment of the interest on such debentures as it becomes due, and for their redemption at maturity. The said bonds or debentures shall be signed by the president or vice-president and countersigned by the secretary and treasurer, or either of such officers, as the directors may decide, and shall bear the corporate seal of the company affixed thereto; provided that the amount of such bonds or debentures shall not exceed twenty thousand dollars per mile, to be issued in proportion to the length of the railway constructed by sections of not less than ten miles and received by the Government; but no such debentures shall be for a less sum than one hundred dollars.

Proviso as to amount of bonds to be issued.

**17.** The said company may secure such bonds or debentures by a deed or deeds of mortgage, executed by the company with the authority of its shareholders, expressed by a resolution passed at any regular or special general meeting of shareholders.

Bonds may be secured by mortgage deed.

Contents' of deed.

Such deed or deeds may contain a description of the property mortgaged by such deed, and such conditions set forth therein, respecting the payment of the bonds or debentures secured thereby, and of the interest thereon, and the remedies which shall be employed by the holders of such bonds or by any trustee or trustees for them, in default of such payment and the enforcement of such remedies, and further to provide for forfeitures and penalties in default of such payment, and to provide generally for the maintenance of all obligations entered into by the company with any bondholders, in such a manner as to make all security given valid, binding, and according to law.

**18.** The directors of the said company, elected by the shareholders in accordance with the provisions of this Act, shall have power and authority to enter into and conclude any arrangement with any other chartered railway company or railway administration for the purpose of making any branch or branches to facilitate a connection between the line of this company or any other chartered railway company or railway administration.

Power of directors to enter into traffic arrangements with other company, &c.

**19.** It shall be lawful for the company to enter into any agreement with any other railway company or railway administration for amalgamation; or for the utilization of any section, part or portion of any line surveyed or prospected, and for which a charter has already been had and obtained from the Legislature of the Province of Quebec, or for the use or partial use of the railway of the

Company may amalgamate &c. with other companies.



company, or for leasing to or for hiring from such other company any other railway or a part thereof, or the use thereof, and for any period or term or for the leasing or hiring of any locomotives, cars or movable property, and generally for making any agreement with any other company or railway administration, touching the use of the railway, or of the railway of the other company or railway administration, or touching any service to be rendered by the one to the other, and the compensation therefor; provided that every such agreement, lease or contract in this section mentioned or referred to shall be first approved of and authorized by the shareholders of the said company at a general meeting of the same, after one month's notice, by circular, and insertion of an advertisement, in French and English, in a newspaper published in the said county of Ottawa for at least one month.

Agreement, lease or contract must be first approved &c.

Provided.

20. It shall be lawful for the township council of a township, which has granted a bonus to any such amalgamating road, to legalize the payment thereof by a vote of the said council, and to issue its debentures for any subsidy given towards any portion of the amalgamating railways; provided always that the line of road runs within the boundaries of such township or its vicinity, as set forth in the original by-law under which such bonus was granted.

Lawful for township council to legalize payment of bonus.

21. The board of directors shall elect and appoint a president and the necessary officers, and fill up vacancies, from time to time; but the president and vice-president shall be elected annually, immediately after the election of directors, except that in filling up a vacancy the election may be made at any time.

Officers of company.

22. The board of directors are hereby authorized to take all necessary steps for procuring subscriptions for stock, until the whole has been taken up, and to make, execute and deliver scrip and share certificates therefor, as they shall deem expedient.

Subscriptions for stock.

23. Any deed of conveyance of land to the company shall be in the form of schedule A to this Act annexed, and may be enregistered at full length, upon the affidavit of one of the witnesses thereto, made before one of the officers authorized to receive the same; and a deed in such form, or in words of like import, shall be a legal and valid conveyance of the land or immovables therein mentioned, to all intents and purposes, and the enregistration thereof shall be of the same effect as if such deed were executed before a notary.

Deed of conveyance of land to company in form of schedule A.



Powers of directors for certain purposes.

**24.** The directors of the company may, if they see fit, use either iron or steel rails on their railway; and the directors shall also have power to build tramways as branches, feeders or auxiliaries to the railway, not to exceed, in the case of any branch, a length of fifteen miles, and to construct and use all machinery and appliances for working the same as may be found useful and proper in such cases.

Power of company to purchase &c. certain property.

**25.** The company shall have full power to purchase or acquire land for its warehouses, elevators, its docks, stations, workshops, offices, and erect buildings thereon, and to dispose of any superfluous property connected therewith, and to acquire, hold and control as many steam or other vessels as the directors may deem requisite, from time to time, to facilitate the carriage of passengers, freight and other traffic in connection with the aforesaid railway.

Commencement and completion of works.

**26.** The powers given by this act shall be exercised by the commencement of the said railway within five years after the passing of this act, and its completion within ten years therefrom.

Name of act.

**27.** This act shall be cited as the "Papineau Seigniory Railway Act."

Coming into force of charter.

**28.** This charter shall come into force by proclamation, which shall be issued only after the Lieutenant Governor in council shall, within twelve months of the sanction of the present act, have proof that the said company is in a position to carry out its undertaking.

## SCHEDULE A.

### DEED OF SALE

Know all men by these presents that I, A. B., in consideration of . . . paid to me by the Papineau Seigniory Railway Company, the receipt whereof is hereby acknowledged, grant, bargain, sell and convey unto the said Railway Company, their successors and assigns, all that tract or parcel of land (*describe the land*), to have and to hold the said land and premises unto the said company, their successors and assigns forever.

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B., in con- Papineau f is hereby y unto the ssigns, all have and t company.

Witness my hand and seal, at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, one thousand eight hundred and \_\_\_\_\_

Signed, sealed and delivered in presence of

C. D.  
C. F.

A. B. [L S]

CAP. XC.

An Act to incorporate the United Counties Railway Company.

[Assented to 30th March, 1883.]

WHEREAS the persons hereinafter named and others <sup>Preamble.</sup> have, by their petition, represented that the construction of a line of railway from the village of Richelieu, in the county of Rouville, passing by or near St. Jean Baptiste, in the county of Rouville, and by St. Damase or Ste. Madeleine, the parish of St. Hyacinthe, the city of St. Hyacinthe, St. Barnabé and St. Judes, in the county of St. Hyacinthe, St. Ours or Sorel, or any other place in the counties of Richelieu and St. Hyacinthe, so as to reach any point on the River Richelieu and River St. Lawrence, would be beneficial to all the localities above-mentioned, and give easy means of communication to the inhabitants thereof; and whereas such persons have prayed to be incorporated into a company for the purpose of building, equipping and working such railway; and whereas it is expedient to grant the prayer of their petition; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec. enacts as follows:

1. Louis Huet Massue, F. X. Bedard, and Michel Esdras <sup>Persons incor-</sup> Bernier, members of the Commons of Canada, Joseph N. <sup>porated.</sup> Poulin, physician, the Honorable Honore Mercier, advocate of Montreal, Hubert Lemay, mayor of St. Judes, Alexis Bouvier, mayor of St. Barnabé, Theotime Marchessault, mayor of St. Ours, Ludger A. Roberge, contractor, Odilon Desmarais, advocate, Edouard Mathieu, agent, L. Francis Morison, advocate, and such other persons and corporations as may hereafter become shareholders in the company hereby incorporated, shall be and are hereby constituted a corporation under the name of "The United Counties <sup>Name.</sup> Railway Company," and shall have all the powers and <sup>General</sup> privileges conferred upon such corporations by the Quebec <sup>power.</sup>

Consolidated Railway Act, 1880, and the acts amending the same, subject to the following conditions.

- Company may lay out, build and finish certain railway.** **2.** The company, its agents and servants may lay out, build and finish a single or double railway of such gauge as the company may deem fit, from a point upon the line of the Montreal, Portland and Boston Railway Company, at Richelieu, in the county of Rouville, passing thence by St. Jean Baptiste, in the said county of Rouville, and by St. Damase, or by Ste. Madeleine, in the parish of St. Hyacinthe, the city of St. Hyacinthe, St. Barnabé and St. Judes, in the county of St. Hyacinthe, St. Ours or Sorel or any other place in the counties of Richelieu and St. Hyacinthe, so as to reach a point on the River Richelieu and the River St. Lawrence, and to build all the bridges necessary for such purpose, as well as the telegraph and telephone lines deemed necessary and useful by it for the working of such railway.
- Powers of company.** **3.** The company shall have the powers conferred by the Quebec Consolidated Railway Act, 1880, not inconsistent with the provisions of this act.
- Capital stock.** **4.** The capital stock of the company shall be one hundred thousand dollars, divided into shares of one hundred dollars each; but it may be increased, from time to time, to the sum of one million dollars, by a vote of the majority in value of the shareholders, present or represented by proxy, at any meeting convened for such purpose.
- Lawful for Company to receive as aid lands, &c.** **5.** It shall be lawful for the company to receive, as aid in the construction of the said railway, any vacant lands or any other real or personal property, or any sums of money, either as gifts or by way of bonus, or in payment of stock, and legally to dispose of the same, and to alienate the said lands and other real or personal property for the purposes of the company, with the authorization of a majority of the directors.
- Provisional directors.** **6.** Louis H. Massue, Théotime Marchessault, J. Poulin, Hubert Lemay, M. E. Bernier, L. Francis Morison and Edouard Mathieu, are hereby constituted a board of provisional directors of the company and shall remain in office until other directors are elected by the shareholders under the provisions of this act; and such directors shall have power and authority to fill vacancies which may arise in the board, to open stock books and have stock taken in the company, to call up and cause to be paid up, instalments on the stock subscribed, to issue bonds or debentures, to
- Powers.**

become parties to promissory notes and bills of exchange, and to commence and carry on the building and working of their railway.

7. The general meeting of the shareholders for the election of directors shall be held on the first Tuesday of May in each year, in the city of St. Hyacinthe, at the place and hour specified in the notice calling such meeting, and such notice shall be inserted in a newspaper published in the city of St. Hyacinthe, during two weeks previous to the date of the meeting. The other meetings of shareholders shall be published in the manner prescribed by the by-laws of the company.

General meeting for election of directors.

8. The board of directors of the company shall be composed of seven directors, four of whom shall form a quorum. They shall elect two of their members as president and vice-president. No one shall be elected a director unless he be the holder of ten shares of the capital stock of the company and have paid all the calls due thereon. The shareholders shall have the right to increase or diminish the number of directors, at the general meetings or at special meetings called for that purpose.

Board of directors and quorum. Qualification. Number of directors may be increased, &c.

9. The directors or the majority of them may, from time to time, replace one or more directors who are deceased or have resigned, by selecting from amongst the shareholders one or more persons qualified to be directors, and the directors so appointed shall remain in office until the ensuing election in May following.

Vacancies on board.

10. The chief place of business and the head-office of the Company shall be in the city of St. Hyacinthe.

Head office of company.

11. The directors of the company are hereby authorized to borrow, either in Canada or elsewhere, all sums of money necessary to complete, maintain and work their railway to issue mortgage bonds, bearing the seal of the company and signed by the president or other officer acting as president and countersigned by the secretary. These bonds may be payable in such manner, at such places in Canada or elsewhere, and bear such rate of interest as the directors may deem advisable, and may be sold or pledged at such price and on such terms and conditions as they may deem expedient, provided the amount thereof does not exceed that of the capital stock of the company; and provided also that the amount of such mortgage bonds does not exceed twenty thousand dollars per mile of railway constructed by sections of not less than ten miles and approved by the government.

Company may borrow money and issue debentures. Bonds how payable. Provide as to amount.

Bonds mortgage on property of company, &c.

**12.** The mortgage bonds, the issue whereof is hereby authorized, shall, without registration or formal transfer and notwithstanding article 2180 of the Civil Code, be admitted and considered as a first mortgage and privileged claim upon the said company, its undertaking, tolls and revenues and the moveables and immoveables it may acquire, and every holder of such bonds shall be deemed an hypothecary creditor as to such lien, *pro rata* with all the other bondholders.

Bonds payable to bearer.

**13.** All bonds, debentures, mortgages and other securities authorized by this act and their coupons and certificates of interest due, may respectively be made payable to bearer, and, in such case, such documents shall be transferable by simple delivery, and the bearer may sue for the recovery thereof in his own name.

Company may become parties to bills and notes, &c

**14.** The company shall have power and authority to become parties to promissory notes and bills of exchange, for sums not less than one hundred dollars; and any such promissory note or bill of exchange made or endorsed, drawn or accepted, by the president or vice-president of the company and countersigned by the secretary of the company, and under the authority of a majority of a quorum of the directors, shall be binding on the company; and every such promissory note or bill of exchange, so made, shall be presumed to have been made, with proper authority, until the contrary be shown; in no case shall it be necessary to have the seal of the company affixed to such promissory note or bill of exchange, nor shall the president or vice-president or the secretary or treasurer of the company, be individually responsible for the same, unless the said promissory notes or bills of exchange have been issued without the sanction and authority of the board of directors as herein provided and enacted.

President &c. not personally liable.

Calls.

**15.** The directors may, at any time, call upon the shareholders for such instalments upon each share, which they or any of them may hold in the capital stock of the company, and in such proportion as they may see fit, except that no such instalment shall exceed ten per cent, on the subscribed capital, and that one month's notice of each call shall be sent by mail by means of a registered letter to each shareholder.

Company may amalgamate with others.

**16.** The company may amalgamate with any other railway company whose road it may cross and may make running arrangements for its cars and trains with any railway along its line or which crosses the same.

**17.** It is also hereby authorized to enter into and complete any agreement with any such other railway company, for the purpose of acquiring any branch line and to facilitate connection between it and any other railway company or to acquire the corporate property or assets of such other company.

Company may acquire branch lines &c.

**18.** It is also hereby authorized to enter into any agreement with any such company to allow the running of the trains of any such railway company, over its road as well as to lease to any railway company the whole or any portion of its road which shall be built, upon such conditions as the board of directors may deem expedient.

Company may enter into traffic arrangements, &c.

**19.** The company shall also have the right to run its own trains over any other line of railway which it may intersect, provided it obtains the permission of the company interested.

Company may run its trains over other lines.

**20.** The directors of the company, elected by the shareholders, may make and issue as paid up stock, shares in the company, whether subscribed for or not, and may allot and hand over such stock as paid up stock and the mortgage bonds of the company, in payment of right of way, plant, rolling stock, or material of any kind, and also for the services of employees and contractors, and other persons, who may have been, are, or may be engaged in promoting the undertaking and interests of the company.

Power of directors to issue paid up stock for certain payments.

**21.** Such issue and allotment of stock or bonds shall be binding on the company, and the unpaid stock shall be unassessable thereafter for calls.

Issue of stock binding on company.

**22.** The company may acquire and hold land from which to obtain supplies of gravel, stone and earth required by the company for their works, and may sell or convey the same, or any part thereof, when no longer required.

Company may acquire land for certain purposes.

**23.** The company shall have power to sell, mortgage or lease any lands belonging to it, not necessary for the purposes of the said railroad, or received by it as a gift in aid thereof; and may, from time to time, for advances of money to be made thereon, mortgage or pledge any bonds which they may, under the provisions of this act, issue for the construction of the railway or otherwise.

Company may sell &c. land not required for road, &c.

**24.** The company may secure in favor of any corporation, bank or person, who shall advance or loan money to the company, even if such person be a director,

Bonds may be secured by mortgage deed.



Conditions thereof.      such bonds or debentures by a deed or deeds of mortgage, executed by the company, with the authority of its shareholders, expressed by a resolution, passed at any regular or special general meeting of shareholders; and any such deed or deeds may contain such description of the property mortgaged by such deed, and such conditions set forth therein, respecting the payment of the bonds or debentures secured thereby, and of the interest thereon, and the remedies which shall be employed by the holders of such bonds, or by any trustee or trustees for them, in default of such payment and the enforcement of such remedies, and further to provide for forfeitures and penalties in default of such payment, and to provide generally for the maintenance of all obligations entered into by the company with any bondholders, in such manner as to make all security given valid, binding and according to law.

Company may build branch lines.      25. The directors of the company shall have the power and right to make and build any branch line or lines, by them deemed necessary, for the working of their main line, and to use all machinery and appliances for working the same, as any be found useful and proper in such cases; but none of these branches shall exceed fifteen miles in length.

Company may acquire, &c. land for warehouses, &c. and erect same, &c.      26. The company shall have the power to purchase or acquire land for warehouses, elevators, factories, docks, stations, work-shops, offices, and erect buildings thereon, and to dispose of any superfluous property connected therewith, and to acquire, hold and control as many steam or other vessels as the directors may deem requisite, from time to time, to facilitate the carriage of passengers, freight and other traffic in connection with its railway.

Form of contracts.      27. All contracts for construction or maintenance of the road shall be passed in the manner and according to the formalities set forth by the regulations of the board of directors of the company, notwithstanding subsection 2 of section 28 of the Quebec Consolidated Railway Act, 1880.

Form to be used for conveyances of land to company.      28. All deeds for conveyances of land to the company may, as far as circumstances permit, be in the form of schedule A to this act annexed, or in words of like import; and in order that all such deeds be duly registered, all registrars, in their respective counties, shall be furnished, by and at the expense of the said company, with a book containing copies of the form given in the said schedule A, or in words of like import which are to be printed one on each page, leaving the necessary blanks to suit the cir-



circumstances upon each separate conveyance, and shall, upon the production of any conveyance, enter the same in the said book, by memorial, and shall minute the enregistration or entry on the deed. The registrar shall charge and receive from the said company, for all fees on such registration, fifty cents and no more; and such registration shall be deemed to be valid in law, any statute or provision of law to the contrary notwithstanding, and shall have the same effect as regards the rights of ownership, servitude, hypothecs and real rights as the registration prescribed by the Civil Code.

Registration and effect thereof.

29. This act shall be for all purposes deemed to be valid and in full force and effect as to such portion or portions of the said road which may be commenced within five years and completed within ten years from the passing of this act.

Commencement and completion of operations.

30. This charter shall come into force by proclamation, which shall be issued only after Lieutenant Governor in council shall, within twelve months of the sanction of the present act, have proof that the said company is in a position to carry out its undertaking.

Coming into force of charter.

SCHEDULE A.

DEED OF SALE.

Known all men by these presents that I, A. B., of \_\_\_\_\_ in consideration of the sum of \_\_\_\_\_

paid to me by the United Counties Railway Company, the receipt whereof is hereby acknowledged, grant, bargain, sell and convey unto the said United Counties Railway Company, all that tract or parcel of land (*describe the land*), selected and designated by the said company for the purposes of its railway; to have and to hold the said land and premises unto the said company, their successors and assigns forever.

Witness my hand, at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, one thousand eight hundred and \_\_\_\_\_

Signed, in presence of

C. D.  
E. F.

} A. B.

## CAP. XCI.

An Act to amend the Acts respecting the Lake Champlain and St. Lawrence Junction Railway Company, and to extend the delay granted for the completion of the said Railway.

[Assented to 30th March, 1883.]

Preamble.

**W**HEREAS the Lake Champlain and St. Lawrence Junction Railway Company have, by their petition, represented that they have completed and put into actual operation sixty two miles of their railway, commencing at Stanbridge Station, in the county of Missisquoi, and terminating at the parish of St. Guillaume, in the county of Yamaska, and that they are desirous of completing their said railway to its northern terminus and to its southern terminus at Philipsburg, as indicated by their charter, to the river St. Lawrence, in the county of Nicolet, opposite Three Rivers, but the time allotted for the completion of the said work will expire on the twenty third day of December next, and they have prayed for an extension of the said time, and it is expedient to grant the said prayer, and to authorize the completion of the said railway as prayed for by the said petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Delay to complete works extended.

**1.** The delay granted for the completion of the said railway and the works connected therewith, is hereby extended to two years, from the twenty third day of December, eighteen hundred and eighty-three, any law or restriction to the contrary notwithstanding.

Company may utilize part of road of South Eastern Railway, &c.

**2.** It shall be lawful for the said company to utilize any part of the South Eastern Railway, with the consent of the said Company, in order to facilitate the completion of the said Lake Champlain and St. Lawrence Junction Railway to its northern terminus and southern terminus at Philipsburg; and the said Lake Champlain and St. Lawrence Junction Railway shall be held to be a continuous line of railway; but shall be entitled to the subsidy, now granted to it by law, only for the number of miles of railway that may be actually constructed by the said Lake Champlain and St. Lawrence Junction Railway Company.

Act in force.

**3.** This Act shall come into force on the day of its sanction.

CAP. XCII.

An Act to incorporate the St. Lawrence and Temiscouata Railway Company.

[Assented to 30th March, 1883.]

**W**HEREAS A. R. Macdonald, superintendent of the <sup>Preamble.</sup> Intercolonial Railway, Léville Thériault, P. E. Grandbois, physician and member of the House of Commons, all of the town of Fraserville; the Honorable Frs. Langelier, advocate and mayor of the city of Quebec; George Honoré Deschesnes, M.P.P., of St. Epiphane; O. Gauthier, M.P.P., of St. Urbain; Joseph Israël Tarte, journalist, of the parish of Sillery; Benjamin Trudel, Charles Langelier, advocate, and the Honorable John Hearn, Legislative Councillor, all of the city of Quebec; and Philippe Landry, Esquire, member for Montmagny in the House of Commons, have by their petition, prayed for the incorporation of the St. Lawrence and Temiscouata Railway Company; and whereas it is expedient to grant the prayer of such petition; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. The said A. R. MacDonold, Léville Thériault, P. E. <sup>Persons incor-</sup> Grandbois, the Honorable Frs. Langelier, G. H. Deschesnes, <sup>porated.</sup> O. Gauthier, J. I. Tarte, Benjamin Trudel, C. Langelier, the Honorable John Hearn and P. Landry, and all such other persons or corporations as shall unite with them, are hereby constituted a corporation under the name of "The St. Name. Lawrence and Témiscouata Railway Company," and are vested with all the powers and privileges required to build and work a railway from a point within the limits of the town of Fraserville and ending at another point in the parish of Ste. Rose-du-Dégelé, in the county of Témiscouata, or at some point in the vicinity thereof.

2. The head office of the company shall be in the town <sup>Head office.</sup> of Fraserville.

3. The capital stock of the company shall be one million <sup>Capital stock.</sup> dollars, divided into shares of one hundred dollars each; but it may be increased in the manner prescribed by the Quebec Consolidated Railway Act, 1880.

The amount to which debentures of the company may <sup>Issue of debentures.</sup> be issued shall also be one million dollars, and it may be increased in like manner.

4. The general meeting of shareholders for the election <sup>General meet-</sup> of directors shall be held on the first Monday of July in <sup>ing for election</sup> every year, at the place and hour specified in the notice <sup>of directors.</sup>

Notice there-  
for.

calling such meeting. Such notice, and all others to be given to shareholders, of meetings or of the calling up of instalments on their shares shall be given or published in the manner prescribed by the board of directors or by the by-laws of the company, and it shall not be necessary to publish them in the Quebec Official Gazette.

Board of direc-  
tors, &c., quo-  
rum, &c.  
President.

5. The board of directors shall be composed of seven members, four of whom shall form a quorum. Such directors shall elect amongst their members a president and a vice-president. The board of directors may employ one of its members as manager of the company and pay him a salary.

Provisional  
directors, and  
their powers.

6. Until the first annual meeting of the shareholders, for the election of directors, the said P. E. Grandbois, A. R. MacDonald, F. Langelier, G. H. Deschesnes, J. Israël Tarte, John Hearn and Benjamin Trudel, shall form the board of directors of the company, and shall have all the rights and powers and enjoy all the privileges as the board of directors to be hereafter elected by the shareholders, and particularly to open stock-books for subscriptions and receive subscriptions to the capital of the said company, to call instalments on the subscribed stock and cause the same to be paid up, and to commence and continue the construction and working of the said railway and to issue obligations, bonds or debentures for the raising of the necessary funds for that purpose.

Commence-  
ment of works.

However, such works of construction shall not be commenced until ten per cent of the stock has been subscribed and ten per cent paid up on the amount so subscribed.

Paid up stock  
may be issued  
for certain  
purposes.

7. The directors of the company may make and issue, as paid up stock, shares in the company, whether subscribed for or not, and may allot and offer such stock as paid up stock and the mortgage bonds of the company, in payment of right of way, plant, rolling stock, or material of any kind, and also for the services of contractors, engineers and other persons who may have been, are, or may be engaged in promoting the undertaking and interests of the company.

Issue binding  
on company.

Such issue and allotment of stock or bonds shall be binding on the company, and the paid up stock shall be unassessable thereafter for all.

Power of di-  
rectors to issue  
debentures.

8. The directors of the company are hereby authorized and empowered, after the sanction of the shareholders shall have been first had and obtained at a special or general meeting to be called, from time to time, for such purpose, to issue bonds or debentures, which bonds

or debentures shall constitute and be considered to be a first and preferential charge on the undertaking, lands, buildings, tolls and income of the company, or any, either or all of them, as may be expressed by the said bonds or debentures, without the necessity for any enregistration thereof or of the formal conveyance thereof, and such bonds or debentures shall be in such form, and for such amount, and payable in sterling money of Great Britain or dollars, at such time and places, as the directors, from time to time, may appoint and direct.

9. The company may secure such bonds or debentures in favor of any company, corporation, bank or person who shall advance or lend money to it, even if such person be a member of the board, by a deed or deeds of mortgage, executed in the name of the company with the authority of its shareholders, expressed by a resolution passed at any regular or special general meeting of shareholders. Such deed or deeds may contain the description of the property mortgaged by such deed, and the conditions set forth therein, respecting the payment of the bonds or debentures secured thereby, and of the interest thereon, and the remedies which shall be employed by the holders of such bonds or by any trustee for them, in default of such payment, and the enforcement of such remedies, and may further provide for forfeitures and penalties in default of such payment, and provide generally for the maintenance of all obligations entered into by the company with any bondholders, in such manner as to make all security given, valid, binding, and according to law.

Debentures may be secured by mortgage deed.

Contents of deed.

10. The company shall have power to sell, mortgage or lease any lands belonging to it not necessary for the purposes of the said railroad, or received by it as a gift in aid thereof; it may, from time to time, for advance of money to be made thereon, mortgage or pledge any bonds which they are, under the provisions of this act, authorized to issue for the construction of the railway or otherwise.

Company may sell, &c., lands not required for road.

11. The construction of the railway, above mentioned, shall be commenced within two years and be completed within ten years from the passing of this act.

Commencement and completion of works.

12. All the provisions of the Québec Consolidated Railway Act, 1880, which are not inconsistent with those of the present act, shall apply to the St. Lawrence and Temiscouata Railway Company.

43-44 Vict., c. 43 to apply.

Coming into  
force of char-  
ter.

**13.** This charter shall come into force by proclamation, which shall be issued only after the Lieutenant Governor in council shall, within twelve months of the sanction of the present act, have proof that the said company is in a position to carry out its undertaking.

CAP. XCIII

An Act to incorporate the "Lake Temiscamingue Railway Company."

[Assented to 30th March, 1883.]

Preamble.

**W**HEREAS the persons hereinafter named have, by their petition, prayed to be incorporated as a company for constructing, equipping and managing a railway from a point on the line of the Pontiac Pacific Junction Railway, in the county of Pontiac, where the said Pontiac Pacific Junction Railway crosses the Ottawa River, to some point at or near Lake Temiscamingue, in the Province of Quebec, and whereas it is expedient to grant the prayer of the said petition; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Persons  
incorporated.

**1.** The Hon. George Bryson, John Poupore, James McCool, Charles A. McCool, C. B. Ronlean, A. T. Genest, James Cunningham, John Bryson, M.P., W. J. Poupore, M.P.P., J. T. St. Julien and Alexander Fraser, together with such other persons or corporations as shall become shareholders in the Company hereby incorporated, shall be and are hereby constituted a body corporate and politic by and under the name and style of "The Lake Temiscamingue Railway Company," and shall have all the powers appertaining to railway corporations in general, and the powers and privileges conferred on such corporations by the "Quebec Consolidated Railway Act, 1880," subject to the provisions hereinafter mentioned.

Name.

General pow-  
ers.

Company may  
construct a  
railway be-  
tween certain  
points.

**2.** The company and their agents and servants may lay out, construct and finish a line of railway of a gauge of four feet eight and one-half inches, from a point on the line of the Pontiac Pacific Junction Railway, in the county of Pontiac, where the said Pontiac Pacific Junction Railway shall cross the Ottawa River, to some point at or near Lake Temiscamingue, in the Province of Quebec.

May appropri-  
ate Crown  
Lands.

**3.** The Company may, with the consent of the Lieutenant-Governor in Council, take and appropriate the land



necessary for the passage of the said railway over so much of the Crown lands not already conceded, lying along the route of its said railway.

4. The capital stock of the company shall be four millions of dollars, with power to increase the same, as provided by the "Quebec Consolidated Railway Act, 1880," divided into forty thousand shares of one hundred dollars, which amount shall be raised by the persons hereinafter named, and such other persons and corporations as may become shareholders in the company; and the money so raised shall be applied, in the first place, to the payment of all expenses and disbursements for procuring the passing of this Act, and for making the surveys, plans and estimates connected with the road; and the remainder of such money shall be applied towards making and completing and maintaining the railway and other purposes of this act.

5. It shall be lawful for the company to receive by grant, either from the Government of Canada or of any Province thereof, or from any individuals or corporations, municipal or otherwise, either in Canada or elsewhere, as aid in the construction of the railway, any vacant lots in the vicinity thereof or elsewhere, or any other real or personal property, or any sums of money, either as gifts or by way of bonus, or in payment of stock, and legally to dispose of the same.

6. The Hon. George Bryson, John Poupore, James McCool, C. A. McCool, C. B. Rouleau, A. T. Genest, Jas Cunningham, John Bryson, M.P., W. J. Poupore, M.P.P., J. T. Saint-Julien and Alexander Fraser, shall be and are hereby constituted a board of provisional directors of the Company, (four of whom shall form a quorum), and shall hold office as such, until other Directors shall be elected under the provisions of this Act, by the shareholders, and shall have power and authority to fill vacancies occurring therein, to open stock books and procure subscriptions for the undertaking, to receive payments on account of stock subscribed, and generally to do all such other acts as such board, under the said Quebec Consolidated Railway Act, 1880, may lawfully do.

7. All persons, municipalities or corporations, subscribing to the capital stock of the company, shall be considered proprietors and partners in the same, but shall be liable only to the extent of the amount of their stock therein; and the mayor or warden of any municipal corporation, subscribing for stock in the company to the amount of ten thousand dollars or upwards, shall be *ex officio* one of the directors of the company in addition to the number of directors.



rectors authorized by this Act, and shall have the same rights, powers and duties as any of the Directors of the Company.

First meeting  
for election of  
directors.

8. When and so soon as one tenth part of the capital stock shall have been subscribed as aforesaid, either in municipal debentures granted by way of bonus, or otherwise, or in ordinary subscriptions by individuals to the capital stock, or partly in such subscriptions, and one tenth of the amount, so subscribed, paid in, the said Directors, or a quorum of them, may call a meeting of shareholders, at such time and place as they think proper,— giving at least one month's notice in one or more papers in English and French, published in the district of Ottawa, at which said general meeting, and at the annual general meetings in the following sections mentioned, the shareholders, present in person or represented by proxy, shall elect not less than five, nor more than nine Directors in the manner and qualified as hereinafter prescribed, which said directors shall constitute a board of Directors and shall hold office until the second day of January in the year following their election.

Notice thereof.

Annual general  
meeting for  
election of  
directors

9. On the second Wednesday of January next after the passing of this Act, and on the second Wednesday of January in each year thereafter, there shall be holden a general meeting of the shareholders of the Company, at the principal office of the said Company, at which meeting the shareholders shall elect a like number of not less than five, nor more than nine directors for the then ensuing year, in the manner and qualified as hereinafter provided; and public notice of such annual general meeting and election, shall be published at least one month before the day of election, in one or more newspapers in French and English, if such there be, in the District of Ottawa; and the election of directors shall be by ballot, and the persons so elected, together with the *ex-officio* directors, if there be any such, under the said Quebec Consolidated Railway Act, 1880, shall form the board of directors.

Notice thereof.

Quorum of  
board.

10. Four directors shall form a quorum for the transaction of business, and the board of directors may employ one or more of their number as paid director or directors; provided, however, that no person shall be elected director unless he be the holder and owner of at least ten shares of the stock of the Company and shall not be in arrear on any calls upon the said stock.

Qualification  
of directors.

Shareholders'  
right to vote.

11. In the election of directors under this Act and in the transaction of business at the general shareholders' meet-

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ings, each shareholder shall be entitled to as many votes as he holds shares, upon which the calls have been paid up, and shall be entitled to vote either in person or by proxy.

**12.** The Company shall have power and authority to become party to promissory notes and bills of exchange for sums not less than one hundred dollars; and any such promissory note, made or endorsed by the president or vice-president of the Company, and countersigned by the secretary and treasurer of the Company, and under the authority of a majority of a quorum of the directors, shall be binding on the Company; and every such promissory note or bill of exchange so made shall be presumed to have been made with proper authority until the contrary be shown; and in no case shall it be necessary to have the seal of the Company affixed to such promissory note or bill of exchange, nor shall the president or vice-president, or the secretary and treasurer, be individually responsible for the same unless the said promissory note or bill of exchange has been issued without the sanction and authority of the board of directors as herein provided and enacted; Provided however, that nothing in this section shall be construed to authorize the Company to issue notes or bills of exchange payable to bearer, or intended to be circulated as money or as the notes or bills of a bank.

Company may  
become parties  
to promissory  
notes.

Seal thereon  
not necessary.

President &c.,  
not person-  
ally liable.  
Proviso.

**13.** The directors of the Company are hereby authorized and empowered to issue bonds or debentures, made and signed by the president or vice-president of the Company, and countersigned by the secretary and treasurer, and under the seal of the Company, for the purpose of raising money for prosecuting the undertaking, and such bonds or debentures are and shall be considered to be privileged claims upon the property of the Company and shall bear hypothec upon the said railway without registration; provided however that the amount of such bonds or debentures, bearing such hypothec, shall not exceed twenty thousand dollars per mile, to be issued in proportion to the length of the railway constructed by sections of not less than ten miles and received by the government; but no such bonds or debentures shall be for a less sum than one hundred dollars.

Company may  
issue mort-  
gage bonds.

Proviso as to  
amount.

**14.** All bonds, debentures and other securities to be issued by the Company, may be payable to bearer; and all such bonds, debentures and other securities of the Company and all dividends or interest warrants thereon, respectively, which shall purport to be payable to bearer, shall be assignable by mere delivery, and may be sued on

Bonds &c. how  
payable.

and enforced by the respective bearers or holders and owners thereof, for the time being, in their own names.

**15.** The directors may, at any time, call upon the shareholders for such instalments upon each share, which they or any of them may hold in the capital stock of the company, and in such proportion as they may see fit, except that no such instalments shall exceed ten per cent on the subscribed capital and that one month's notice of each call shall be given in such manner as the directors shall see fit.

**16.** The said board of Directors shall elect and appoint a president and vice-president and the necessary officers, and fill up vacancies from time to time; but the said president, and vice-president or vice-presidents shall be elected annually immediately after the election of Directors, except that in filling up a vacancy an election may be made at any time.

**17.** The said board of Directors are hereby authorized to take all necessary steps for procuring subscriptions for stock until the whole has been taken up, and to make, execute, and deliver scrip and share certificates therefor as they shall deem expedient.

**18.** It shall be lawful for the company to enter into any agreement with any other railway in this province for leasing the said railway or any part thereof, or the use thereof at any time or times or for any period, or for leasing or hiring any railway or part thereof, or the use thereof or for the leasing or hiring any locomotives or moveable property, and generally to enter into any such agreement touching any service to be rendered by one railway company to the other and the compensation therefor; and any such agreement shall be valid and binding, and shall be enforced by courts of law according to the terms and tenor thereof.

**19.** Any deed of conveyance of land to the said company may be in the form of schedule A to this Act annexed, and shall be registered at full length upon the affidavit of one of the witnesses to the execution thereof, made before one of the officers usually authorized to receive the same; and for the purposes of the due enregistration of the same, all registrars shall be supplied, by and at the expense of the Company, with a book, with copies of the form given in the said schedule A, one to be printed on each page, leaving the necessary blanks to suit the circumstances upon each separate conveyance, and shall, upon the production and proof of the execution of any such conveyance, enter the

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same in the said book, without any memorial, and shall minute the enregistration, or entry on the deed; and the registrar shall charge and receive from the Company, for all fees on every such registration, fifty cents and no more; and a deed in such form or in words of like import, with all the clauses and conditions therein mentioned, shall be a legal and valid conveyance of the land and immoveables therein mentioned to all intents and purposes, and the registration thereof shall be of the same effect as if such deed were executed before a Notary public.

20. The construction of the said railway shall be begun Commence- within two years from the passing of this act, and ment and com- completed within eight years. pletion of road.

21. This act shall be subject to the Quebec Consolidated 43-44 V., c. 43 Railway Act, 1880, except in so far as the special pro- to apply. visions of this act may be inconsistent therewith.

22. This Act may be cited as "The Lake Temiscamingue Name of Act. Railway Company's Act."

23. This charter shall come into force by proclamation, Coming into which shall be issued only after the Lieutenant Governor force of char- in council shall, within twelve months of the sanction of ter. the present act, have proof that the said company is in a position to carry out its undertaking.

SCHEDULE A.

FORM OF DEED OF SALE.

Know all men by these presents that I, A. B., of  
do hereby, in consideration of  
paid to me by the Lake Temiscamingue Railway Company,  
the receipt whereof is hereby acknowledged, grant, bargain,  
sell, and convey unto the said Lake Temiscamingue Rail-  
way Company, their successors and assigns, all that tract  
or parcel of land (*description*) the same having been selected  
and laid out by the said company for the purposes of their  
railway; to have and to hold the said land and premises  
unto the said company, their successors and assigns forever.

Witness my hand and seal, at this  
day of one thousand eight hundred and

Signed, sealed and delivered }  
in presence of } A. B. [L. S.]  
C. D.

## C A P. X C I V .

An Act to incorporate the Saguenay and Lake St. John  
Railway Company.

[Assented to 30th March, 1883.]

## Preamble.

**W**HEREAS the Reverend Mr. Ambroise Fafard, curé of Chicoutimi, John Evan Price, esquire, of Quebec, the Honorable Thomas McGreevy of Quebec, member of the Parliament of Canada, Jean Gagné, esquire, of Chicoutimi, member of Parliament, Donald Cameron Thomson of Quebec, lieutenant colonel of militia, Elie St. Hilaire, of St. Prime du Lac St. Jean, M.P.P., and Euloge Ménard, esquire, of Roberval, merchant, and others have prayed for the passing of an act of incorporation for the purpose of building a railway following the most convenient line, and whereas it is expedient to grant their prayer; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Persons  
incorporated.

1. The aforesaid persons and such other persons or corporations as may become subscribers and shareholders in the company hereby incorporated, are hereby constituted a body politic and corporate, under the name of "The Saguenay and Lake St. John Railway Company," to construct a railway starting from the town of Chicoutimi or from St. Alphonse and extending thence to or near Lake St. John.

Power of Com-  
pany to lay  
out, &c. line  
of railway.

2. The company are invested with all the rights and privileges necessary to lay out, construct and finish and work a single or double line of railway of such width as the company may see fit, from the parish of St. Alphonse or the town of Chicoutimi, by the most convenient line towards the north-west as far as near Lake St. John. And the company shall have power to build the various sections of the railway in such order as it may see fit, keeping always in view the general direction above specified.

Power of Com-  
pany to build  
bridges, &c.

3. The company shall have power to erect and construct the bridges required for the purposes of its railway over any part of any river where it may deem advisable and necessary to construct the same, with the right, if the company sees fit, to make such bridges suitable for the passage of horses, vehicles and foot passengers, subject to the clauses, stipulations and conditions of the Quebec Consolidated Railway Act, 1880; and, in the event of any of such bridges

being opened to the public as pay-bridges, the price and rates of toll shall be established by the lieutenant governor in council.

4. The capital stock of the company shall not exceed, in Capital stock. all, unless increased as provided by the Quebec Consolidated Railway Act, 1880, the sum of two million dollars, divided into twenty thousand shares of one hundred dollars each, which amount shall be raised by the persons hereinafter mentioned and such other persons, corporations, and municipalities as are or may become shareholders in the said company by subscribing to the capital thereof. The money so raised is hereby applied, in the first place, to the payment of all fees, expenses and disbursements connected with the passing of this act, and for making the surveys, plans and estimates connected with the said railway; the remainder of such money shall be applied towards making, completing, and maintaining the said railway and for the other purposes of this act.

5. The petitioners above named shall be and are hereby constituted and appointed provisional directors of the company, and shall remain in office until other directors shall be elected, under the provisions of this act, by the shareholders, and they shall have power and authority to fill vacancies occurring in the board by appointing shareholders to fill such vacancies, to open stock books and procure subscriptions for the undertaking, and make calls upon subscribers in respect of their stock, and to cause surveys and plans to be made, call a general meeting of the shareholders for the election of directors in the manner hereinafter prescribed, and generally to do all such other acts as the board may do under the Quebec Consolidated Railway Act, 1880. Provisional directors and powers.

6. All persons, municipalities or corporations, which shall subscribe to the capital stock of the company shall be considered proprietors and shareholders of the company, but shall only be responsible to the amount of their shares. Liability of shareholders limited. The mayor or warden of any municipal corporation, which shall take shares in the capital stock of the company to the amount of ten thousand dollars or over, shall be *ex officio* Mayor of corporation subscribing certain amount to be ex-officio director. one of the directors of the company, in addition to the number of directors authorized by this act, and he shall have the same rights and powers and be subject to the same duties as the other directors of the company.

7. When and so soon as one-twentieth part of the capital stock shall have been subscribed as aforesaid, it shall and First meeting for election of directors. may be lawful for the directors or the majority of them



Notice thereof.	to call a meeting of the shareholders at such time and place as they may deem proper, by giving at least two weeks' notice in a newspaper published in the city of Quebec and in the town of Chicoutimi, if there be one.
Election of directors.	At such general meeting and at the annual general meeting in the following section mentioned, the shareholders present, either in person or represented by proxy, shall elect seven directors, in the manner and qualified as hereinafter provided ; which said directors shall constitute a board of directors of the company, and shall hold office until the first Monday in May, in the year following their election.
Duration of office.	
Annual general meeting for election of directors.	8. On the said first Monday in May, and on the first Monday in May in each year thereafter, at the principal office of the company, there shall be held a general meeting of the shareholders of the company. At such meeting the shareholders shall elect seven directors for the then ensuing year, in the manner and qualified as hereinafter provided. Public notice of such annual meeting and election shall be published, for two weeks before the day of election, in a newspaper published as aforesaid. The election of directors shall be by ballot, and the persons, so elected, together with the directors <i>ex officio</i> under the Quebec Consolidated Railway Act, 1880, if any there be, shall constitute the board of directors.
Notice thereof.	
Manner of election.	
Quorum of board, &c.,	9. Four directors shall form a quorum for the transaction of business, and the board of directors may employ one or more of their members as paid director or directors ; provided, however, that no person shall be elected, unless he shall be the owner and holder of at least twenty five shares of the stock of the said company and shall have paid all calls that may have been made.
Qualification of directors.	
Shareholders' right to vote.	10. At the elections of directors under this act and in all matters relating to the affairs of the company at general meetings of shareholders, each shareholder shall be entitled to as many votes as he holds shares, upon which he has paid all calls due, and he may vote in person or by proxy.
Calls.	11. The board of directors may, at any time, call upon the shareholders to pay their instalments upon every share they may hold in the capital stock of the company, and in such proportion as they may see fit ; but no such instalment shall exceed ten per cent of the capital subscribed, and one month's notice of each call shall be given in such manner, as the directors may deem advisable.
Proviso.	
Notice.	



12. All deeds and conveyances of land to the said company for the purposes of this act, in so far as circumstances will admit, may be in the form of the schedule A, to this act subjoined, or in any other form to the like effect; and, for the purpose of the due enregistration of the same, all registrars, in their respective counties, shall, upon production of the said deeds and proof of the due execution thereof, enter and register them in their books, and they shall endorse a minute of such enregistration or entry on the said deeds; and the registrars shall receive, from the company for all fees on such registration, fifty cents and no more. Such enregistration shall be deemed to be valid in law, any act or provision of law to the contrary notwithstanding.

Form of deeds of conveyance of land.  
Registration of deeds.  
Fees therefor.

13. The board of directors or the majority among them, may, from time to time, replace one or more directors who are deceased or have refused to act as such, by selecting from amongst the shareholders one or more persons holding shares to a sufficient amount to qualify them to act as directors as aforesaid.

Vacancies in board.

14. The company shall have power and authority to become parties to promissory notes and bills of exchange for sums not less than one hundred dollars; and any such promissory note or bill of exchange made or endorsed, drawn or accepted, by the president or vice-president of the board of directors of the company and countersigned by the secretary-treasurer of the company and under the authority of a majority of a quorum of the directors, shall be binding on the company. Every such promissory note or bill of exchange so made, shall be presumed to have been made, with proper authority, until the contrary be shown; in no case shall it be necessary to have the seal of the company affixed to such promissory note or bill of exchange, nor shall the president or vice-president or the secretary-treasurer of the company, be individually responsible for the same, unless the said promissory note or bill of exchange has been issued without the sanction and authority of the board of directors as herein provided and enacted.

Company may become parties to bills and notes.  
Seal thereon not necessary.

15. The directors of the company, upon being duly authorized thereto by a vote of the majority of the shareholders of the said company, present at any annual meeting in the month of May for the election of directors, or at any general meeting, notice of which shall be given, in the manner above prescribed, in the case of an annual general meeting and election, in which notice the object of the meeting shall be clearly set forth, shall have power to issue their bonds,

Directors may issue bonds.

**Form thereof.** and signed by the president and the vice-president of the said company, and countersigned by the secretary treasurer of the company, and under the seal of the company, for the purpose of raising money required for the undertaking. Such bonds shall be and be considered to be privileged claims upon the property of the company, and shall bear hypothec upon the said railway, without enregistration; provided no mortgage bonds of such nature shall be issued until ten per cent of the capital stock of the company hereby incorporated has been subscribed; and provided also that the said company shall not have power to issue such mortgage bonds for a greater amount than twenty thousand dollars per mile of road constructed by sections of not less than ten miles, and that such portion of the road shall have been received by the government.

**Bonds, to whom payable and how transferred.** 16. All bonds, debentures and other securities, so made and issued by the company, may be made payable to bearer. And all such bonds, debentures, mortgages and other securities of the company and their coupons and certificates of interest relating thereto, and made payable to bearer, shall be transferable by simple delivery and the bearer may sue for the recovery thereof in his own name.

**Company may lease railway, &c.** 17. The company may enter into any agreement with any other railway company in this province for the leasing or selling its railway or any part thereof, of the use thereof, at any time or for any period, to such other company, for the leasing, from such other company, of any railway or part thereof or the use thereof, or for the leasing or buying of locomotives or moveable property, and generally make any agreement or agreements respecting any service to be rendered by one company to the other and the compensation to be paid therefor; and every such agreement shall be valid and binding and may be carried into execution by courts of justice in accordance with the tenor thereof.

**Shares not to be sold below par.** 18. It shall not be lawful for the directors to sell under par any shares of the company's capital, which shall not have been taken up.

**Lands, &c., may be received by company as aid, &c.** 19. It shall be lawful for the company to receive, as aid in the construction of the said railway, any vacant lands and any real or personal property and any sums of money, either as gifts or by way of bonus, or in payment of stock, and it may legally dispose of and alienate such lands and other real or personal property for the purposes of the company, on the authority of a majority of its directors.

20. The principal place of business and the head office of the company shall be in the city of Quebec, or in such other place as may be determined by the board of directors.

Head office of company.

21. Notwithstanding the provisions contained in the Quebec Consolidated Railway Act, 1880, and particularly in the sixteenth and seventeenth sub-sections of section seven of the said act, the company may build and work branch lines, of fifteen miles in length each, and for that purpose it shall have all the powers, rights and privileges conferred upon it for the construction and working of its main line. It may also construct bridges, wharves and all other works necessary for the construction and working of its line.

Branch lines may be built by company.

22. All contracts for works of construction or maintenance of the railway shall be made in the manner and according to the formalities prescribed by the by-laws of the board of directors of the said company, notwithstanding the second sub-section of section twenty-eight of the Quebec Consolidated Railway Act, 1880.

Form of contract for works.

23. This act shall, for all purposes whatsoever, be deemed valid and in full force and effect, as to such portions of the said railway which may be commenced within two years and completed within eight years from the passing of the act.

Commencement and completion of works.

24. This act shall be subject to the provisions of the Quebec Consolidated Railway Act, 1880, except in so far as they may be inconsistent with or provided for in the special provisions of this act.

43-44 Vict., c. 43, to apply.

25. This charter shall come into force by proclamation, which shall be issued only after the Lieutenant Governor in council shall, within twelve months of the sanction of the present act, have proof that the said company is in a position to carry out its undertaking.

Coming into force of charter.

SCHEDULE A.

FORM OF DEED OF SALE.

Know all men by these presents that I, A. B., of \_\_\_\_\_, in consideration of \_\_\_\_\_, paid to me by the Saguenay and Lake St. John Railway Company, the receipt whereof is hereby acknowledged, grant, bargain, sell and convey unto

the said Sagenay and Lake St. John Railway Company, their successors and assigns, all that tract or parcel of land (*describe the land*), to have and to hold the said land and premises unto the said company, their successors and assigns forever.

Witness my hand and seal, at \_\_\_\_\_, this  
day of \_\_\_\_\_, one thousand eight hundred  
and \_\_\_\_\_

Signed, sealed and delivered in presence of	}	A. B.	[L. S.]
C. D.			
E. F.			

CAP. XCV.

An Act to incorporate the Cap Rouge and St. Lawrence  
Railway Company."

[Assented to 30th March, 1883.]

Preamble.

**WHEREAS**, the Honorable Thomas McGreevy and others have, by petition, prayed for an act of incorporation as a company for building the railway hereinafter described, and whereas the building of such railway would greatly benefit the trade and prosperity as well of part of the county of Quebec as of the city of Quebec, and whereas it is expedient to grant the prayer of the said petition; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Persons incorporated.

**1.** The Honorable Thomas McGreevy, William Sharples, J. B. Forsyth, Ferdinand Hamel, James Bowen, jnr., John Sharples, Joseph Fiset, Joseph Elzear Bedard and Edward Dalkin, Esquires, with all such persons and corporations as shall become shareholders in the company hereby incorporated, shall be and are hereby constituted a body corporate and politic under the name of "The Cap Rouge and St. Lawrence Railway Company."

Name.

Company may build certain railway.

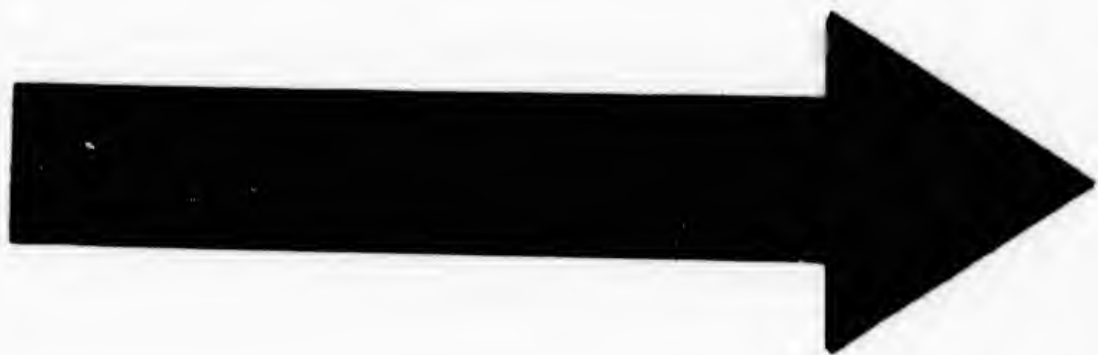
**2.** The company and their servants shall have full power and authority to lay out, construct, make and finish a double or single track of iron or steel railway, from some point at or near the village of Ancienne Lorette,

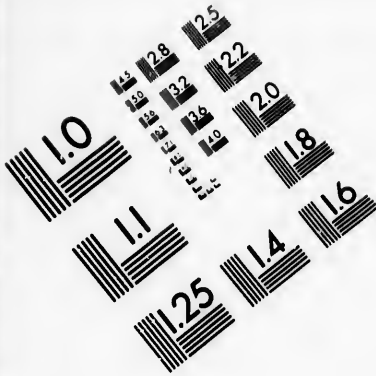
in the county of Quebec, intersecting the North Shore Railway, running to the mouth of the River St. Charles, either within or without the limits of the city of Quebec, or running by the river Cap Rouge to the river St. Lawrence, thence following the north shore of the river St. Lawrence, through the coves to the city of Quebec, to a point within the city of Quebec, where the said company may have a deep-water terminus ; but in all cases, before entering the limits of the city of Quebec, the consent of the corporation of the said city shall be previously obtained.

3. The capital stock of the company shall be the sum of <sup>Capital stock.</sup> three hundred thousand dollars (with power to increase the same as provided by the Quebec Consolidated Railway Act, 1880), to be divided into six thousand shares of fifty dollars each, which amount shall be raised by the persons hereinbefore named, and such other persons and corporations as may become shareholders in such stock and the money so raised shall be applied in the first place towards the payment of all fees, expenses and disbursements, for procuring the passing of this act, and for making the surveys, plans and estimates connected with the railway ; and all the rest and remainder of such money shall be applied towards making, completing and maintaining the said railway, the payment of interest on the sums paid up at the rate of no more than six per cent, during the continuance of the works and other purposes of this act ; provided always, that until the said preliminary expenses shall be paid out of the capital, stock, it shall be lawful <sup>Municipal</sup> for the municipality of any county, city, village or parish, <sup>council may</sup> interested in the railway, or otherwise, to pay out of the <sup>pay prelimi-</sup> general funds of such municipality such preliminary <sup>nary expenses.</sup> expenses, which sums shall be refunded to such municipality from the stock of the company, or be allowed them in payment of stock.

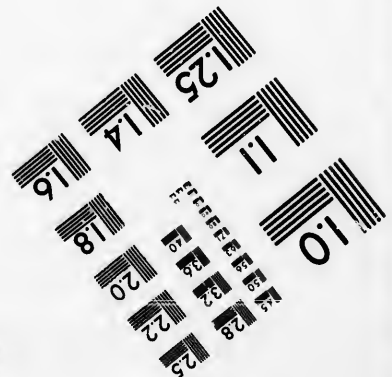
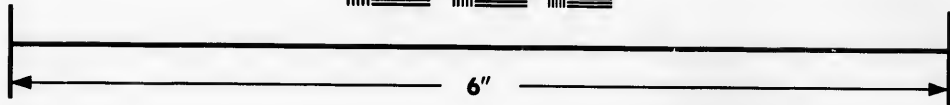
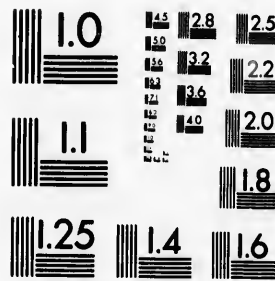
4. The Honorable Thomas McGreevy, William Sharples, <sup>Provisional</sup> J. B. Forsyth, Ferdinand Hamel, James Bowen, jr., <sup>directors and</sup> John Sharples, Joseph Fiset, Joseph E. Bedard and Edward <sup>quorum.</sup> Dalkin are hereby constituted and appointed the first board of directors of the company, and, until others are appointed, in the manner hereinafter prescribed, they shall form the board of directors of the company, and any five of them shall form a quorum for the transaction of business.

5. The directors are hereby empowered to take all <sup>Powers of</sup> necessary steps for opening stock books for the subscription <sup>directors.</sup> of persons desirous of becoming shareholders in the com-





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**Liability of shareholders.** pany, and all persons subscribing to the capital stock of the company shall be considered proprietors and partners in the same, but shall be liable only to the extent of their stock therein.

**First meeting for election of directors.**

**Notice therefor.**

**6.** When and so soon as one-tenth part of the capital stock shall have been subscribed as aforesaid, and so soon as one-tenth part of the subscribed stock shall have been paid up, it shall and may be lawful for the directors, or any five of them, to call a meeting of the shareholders, at such place and time as they think proper, by giving at least one month's notice in both languages in one or more newspapers published in the city of Quebec, at which general meeting, the shareholders present, either in person or by proxy, shall elect, by ballot, nine directors, qualified as hereinafter provided, and at the following annual general meetings, the said shareholders present, either in person or by proxy, shall elect three directors, in the manner and qualified as hereinafter prescribed, and the said directors shall constitute the board of directors and shall remain in office until they are replaced as hereinafter mentioned.

**Annual general meeting for election of directors.**

**7.** On the second Tuesday of March, in the year following the said election, shall be holden a general meeting of the shareholders of the company, at which meeting the shareholders present, as hereinabove stated, shall elect three directors to replace three who shall go out of office, which three shall be elected for three years, and on the second Tuesday in March, in the following year, shall be holden another general meeting for the election of three directors to replace three from the six who shall have remained in office from the first election, and in the third year, the remaining three shall go out of office, and so on, annually, so that all the elections of directors, with the exception of the first, shall be made for three years.

**Retiring from office of first directors.**

The first nine directors elected together, shall draw lots to decide which three of them shall first go out of office, and such drawing shall take place before the notice calling the annual meeting is published, and the said notice shall contain the names of the three directors going out of office, and to be replaced; and the other six directors shall also draw lots in the following year to decide which three of them shall go out of office, and the notice calling the general meeting, shall contain every year the names of the three directors going out of office, but the same may be re-elected; the notice of each annual meeting shall be given during one month in one or more newspapers published in the city of Quebec, and the election of directors shall be made by ballot and the persons so elected, to-

**Notices of annual meeting.**

together with those remaining in office, shall constitute the board of directors.

8. Five directors shall form a quorum for the transaction <sup>Quorum of</sup> of business, and the board of directors may employ one or <sup>board.</sup> more of their number as paid director or directors; provided however, that no person shall be elected a director unless he shall be the holder and owner of at least ten <sup>Qualification</sup> shares of the stock of the company, and shall have paid up <sup>of directors.</sup> all calls on the said stock at the time of his election.

9. All deeds and conveyances of lands to the company, <sup>Form of deeds</sup> for the purposes of this act, in so far as circumstances will <sup>of conveyance</sup> admit, may be in the form given in Schedule A, to this act <sup>of land.</sup> subjoined, or in any other form to the like effect, and for the purposes of the due enregistration of the same, all registrars shall be supplied by, and at the expense of the company, with a book, with copies of the form given in the <sup>Registration</sup> said schedule A, one to be printed on each page, leaving <sup>thereof.</sup> the necessary blanks to suit the circumstances upon each separate conveyance, and shall, upon the production and proof of the execution of any such conveyance, enter the same in the said book without any memorial, and shall minute the enregistration or entry on the deed; and the registrars shall charge and receive, from the company for <sup>Fees for registra-</sup> all fees on every such registration, fifty cents and no more, <sup>tion.</sup> and such enregistration, shall be deemed to be valid in law, any statute or provision of law to the contrary notwithstanding.

10. The directors of the company shall have the power, <sup>Directors may</sup> and they are hereby authorized by this act to issue their <sup>issue bonds.</sup> bonds or debentures signed by the president and vice-president of the company, and countersigned by the secretary-treasurer, and under the seal of the company, for the purpose of raising the money necessary for the undertaking, and such bonds shall give and shall be held to give a privileged claim upon the property and rolling stock of the company and shall create a hypothec upon the said railway, lands, buildings and bridges or upon any or all of them, according to the tenor of such bonds or debentures; such bonds or debentures shall further convey a privilege upon the fares or other revenues of the company, or upon a part or the whole of them, according to the tenor of such bonds or debentures; provided always that the amount of such <sup>Proviso.</sup> bonds or debentures does not exceed the amount of the capital of the company, and that no such debentures be for a less sum than five hundred dollars.

Vacancies in  
board.

11. The directors or a majority of them may, from time to time, replace any of their number dying or declining to act as such directors, from among the several persons being subscribers for, or owning and holding shares in the company, sufficient to qualify him or them to act as director or directors as aforesaid; the said director or directors so appointed, to hold office till the next annual meeting in the month of March following.

Commence-  
ment and  
completion of  
works.

12. The railway shall be commenced *bona fide*, within one year, and be completed to the Cap Rouge within two years, and to the city terminus within five years, after the passing of this act.

Coming into  
force of char-  
ter.

13. This charter shall come into force by proclamation, which shall be issued only after the Lieutenant Governor in council shall, within twelve months of the sanction of the present act, have proof that the said company is in a position to carry out its undertaking.

#### SCHEDULE A.

##### FORM OF DEED OF SALE.

KNOW all men, by these presents, that I, A. B., of do hereby, and in consideration of paid to me by the Cap Rouge and St. Lawrence railway company, the receipt whereof is hereby acknowledged, grant, bargain, sell and convey to the "Cap Rouge and St. Lawrence railway company" successors and assigns, all that tract or parcel of land (*describe the land*), the same having been selected and laid out by the said company for the purpose of their railway; to have and to hold the said land and premises unto the said company, their successors and assigns forever.

Given under my hand and seal at, this day of  
one thousand eight hundred and

Signed, sealed and delivered }  
in presence of

A. B.  
(L. S.)

CAP. XCVI.

An Act to incorporate the Rimouski and Gaspé Railway Company.

[Assented to 30th March, 1888.]

**W**HEREAS the Reverend Mr. Luc Rouleau, J. E. G. Génèreux, D. F. de St. Aubin, G. L. Pelletier, J. Russell, F. Danjou, F. X. Rinfret, N. C. Génèreux, J. P. Pelletier, O. Desjardins, E. Verreault, L. Gagnon, A. E. Guay, J. E. Fortin, C. N. Meade, P. Marquis, all of the parish of St. Jérôme de Matane, A. J. Sasseville, J. T. Létourneau, J. Thibault, R. Tanguay, T. J. Lamontagne, C. E. Godreault, J. Fournier, P. Chouinard, all of St. Anne des Monts, Tréflé Côté, Louis Roy, senior, B. Dionne, Oct. St. Laurent, Jean Côté and Antoine Labrie of the parish of Cap Chatte, Joseph Adhemar Martin, Louis Adolphe Billy, member of the Parliament of Canada, Louis Napoléon Asselin, member of the House of Assembly of the Province of Quebec, and Arthur Chamberland of the town of St. Germain de Rimouski, and several other persons, have, by their petition, represented that the construction of a Railway, as hereinafter set forth, would be of great public benefit; and whereas a petition has been presented praying for the passing of an act incorporating a company for the purpose of constructing such railway; and whereas it is advisable to grant the prayer of such petition;

Therefore Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. Reverend Mr. L. Rouleau, Arch-Priest, J. E. Génèreux, D. F. de St. Aubin, G. L. Pelletier, J. Russell, F. Danjou, F. X. Rinfret, N. C. Génèreux, J. P. Pelletier, O. Desjardins, E. Verreault, L. Gagnon, A. E. Guay, J. E. Fortin, C. N. Meade, P. Marquis, A. J. Sasseville, J. T. Létourneau, J. Thibault, R. Tanguay, T. J. Lamontagne, C. E. Godreault, J. Fournier, Pierre Chouinard, Tréflé Côté, Bruno Dionne, O. St. Laurent, Antoine Labrie, J. A. Martin, A. Chamberland, L. A. Billy, L. N. Asselin, and such other persons and corporations as may become shareholders in the company hereby incorporated, shall be and are hereby constituted a body politic and corporate under the name of the "Rimouski and Gaspé Railway company" (hereinafter called the Company), and shall have all the powers and privileges conferred upon such corporations by the Quebec Consolidated Railway Act, 1880.

2. The principal place of business of the company shall be in the parish of St. Jérôme de Matane, in the county of

Rimouski, or in any other place chosen by the board of directors.

**Company may build, &c., certain railway.** **3.** The company and its agents and servants may lay out, construct, complete and work a single or double gauge railway from a point on the Intercolonial Railway, between Rimouski and Little Metis to a point on or near Gaspé Basin, passing by Matane, Cap Chatte and Ste. Anne des Monts and may also construct such branch lines as may be necessary to open up the country to colonization on both sides of the main line and to connect the same with other lines of railway.

**Capital stock.** **4.** The capital stock of the company shall be three million dollars, divided into sixty thousand shares of fifty dollars each, but it may be increased, from time to time, by a vote of the majority in value of the shareholders, present in person, or represented by proxy, at any meeting called for that purpose.

**Company may receive lands, &c., as aid.** **5.** It shall be lawful for the company to receive, as aid in the construction of the said railway, any vacant lands, or any real or personal property, or any sums of money, either as gifts or by way of bonus, or in payment of stock, and it may legally dispose of and alienate such lands and other real or personal property for the purposes of the company, on the authority of a majority of the directors.

**Provisional directors.**

**6.** The said Reverend L. Rouleau, J. E. Généreux, G. L. Pelletier, J. P. Pelletier, D. F. de St-Aubin, A. E. Guay, F. Danjou, A. J. Sasseville, T. Lamontagne, Tréflé Côté, Louis Roy, senior, J. A. Martin, L. A. Billy, L. N. Asselin, L. Gagnon and J. Russell are hereby constituted a board of provisional directors of the company, and they shall remain in office until other directors are elected by the shareholders, in accordance with the provisions of the present act, and they shall have power and authority to fill vacancies occurring on the board, to open stock-books and obtain subscriptions to the capital stock of the undertaking, and call up instalments on the stock subscribed, to issue obligations, bonds or debentures, to become parties to promissory notes and bills of exchange, and to commence and continue the construction and working of the said railway.

**Powers.**

**General meeting for election of directors.** **7.** The general meeting of the shareholders for the election of directors shall be held, each year, on the first Wednesday in May at the head office of the company, at the time and place indicated in a notice convening such meeting, and such notice shall be inserted in a newspaper

**Notice therefor**

published in the city of Quebec or in the district of Rimouski, during the two weeks preceding the date of the meeting. Notice of other meetings of the shareholders shall be given in the manner prescribed by the by-laws of the company.

Notice for other meetings.

8. The board of directors of the company shall be composed of seven members, four of whom shall be a quorum, who shall elect one of their number as president and another as vice-president. No one shall be elected director unless he be a shareholder, holding ten shares in the capital stock of the company and unless he has paid all the calls due thereon.

Board of directors, &c.  
Quorum.  
Qualification of directors.

9. The directors or a majority of them may, from time to time, replace one or more directors deceased or refusing to act, by selecting, from amongst the shareholders, one or more persons duly qualified to be directors; and such directors, so appointed, shall remain in office until the following election of directors in the month of May then next.

Vacancies on board,

10. The company may build and use bridges, wharves and all other works necessary for the construction and working of its line and branches, with power to extend them to deep water.

Company may build, &c.  
wharves, &c.

11. The directors of the company are hereby authorized to borrow, either in Canada or elsewhere, all sums of money necessary to complete, maintain, and work their railway, and to issue mortgage bonds, bearing the seal of the company, and signed by the president, or other officer, acting as president, and countersigned by the secretary; and such bonds may be payable in such manner, at such place in Canada or elsewhere, and shall bear such rate of interest as the directors may deem advisable; such bonds may be sold or pledged at the prices and on the terms and conditions they may deem fit; provided that the amount of such bonds so issued does not exceed the amount of the capital stock of the company; and provided always that the said company shall not have power to issue such bonds for a greater amount than twenty thousand dollars per mile of road, constructed by sections of not less than ten miles, and that such portions of the said road shall have been received by the government.

Directors may borrow money and issue debentures.  
Debentures where payable.  
Proviso.  
Proviso.

12. The mortgage bonds hereby authorized to be issued shall, without registration or formal transfer, and notwithstanding article 2130 of the Civil Code, be received and

Mortgage bonds charge on property without registration.



considered as a first claim and privileged debt against the company, its undertakings, tolls and revenues, and the moveables and immoveables which it may acquire; and every holder of such bonds shall be deemed an hypothecary creditor, as to such security, *pro rata* with all other bond-holders. If there have been several issues of such bonds, at different dates, the privileged rank thereof shall be determined by the date of their issue; bonds bearing a prior date shall rank before those of a subsequent issue.

Bonds, &c., payable to bearer.

13. All bonds, debentures, hypothecs and other securities hereby authorized, and their coupons and certificates of interest due, may respectively be made payable to bearer, and in such case they shall be transferable by simple delivery, and the holder may sue for the recovery thereof in his own name.

Company may become party to bills and notes, &c.

14. The company shall have power and authority to become parties to promissory notes and bills of exchange of not less than one hundred dollars; and any such promissory note or bill of exchange made, accepted or endorsed by the president or vice-president of the company, and countersigned by the secretary, under the authority of a majority of a quorum of the directors, shall be binding on the company; and every such promissory note or bill of exchange so made shall be presumed to have been duly made with the proper authority, until the contrary be shewn; and in no case shall it be necessary to have the seal of the company affixed to any promissory note or bill of exchange; nor shall the president or vice-president or the secretary or treasurer of the company be individually responsible for the same, unless the said promissory note or bill of exchange has been issued without the sanction and authority of the board of directors, as herein provided and enacted.

Seal thereon not necessary.

President, &c., not personally liable.

Calls.

15. The directors may, at any time, call upon the shareholders for such instalments upon each share which they or any of them may hold in the capital stock of the said company, and in such proportion as they may see fit. Except that no such instalment shall exceed ten per cent on the subscribed capital, and that one month's notice of each call shall be sent by mail, by means of a registered letter, to each shareholder.

Proviso.

Company may sell, lease, &c., road to others, &c.

16. The Company shall have power and is authorized to sell and lease to, or amalgamate with any railway or sell or lease to the government of the Dominion of Canada, or to acquire any other railway or undertaking by purchase

or lease, and to make any agreement with any other railway company or with the government of the Dominion of Canada, to obtain running powers over their lines, or to acquire such running powers from any other company or from the government of the Dominion of Canada, for such period as may be considered the most advantageous, and generally to make any agreement or agreements with any such other railway company or with the government of the Dominion of Canada, touching the use by one or the other or both of such companies or the government of the Dominion of Canada, of the said railways and undertakings so acquired or taken by means of transfer, lease, or amalgamation as aforesaid, or any of them or any part thereof respectively, or touching any service to be rendered by one company to the other, or by or to the government of the Dominion of Canada, with respect thereto.

17. All shareholders in the company, whether British subjects or aliens, or residents of Canada or elsewhere, shall have equal right to hold stock in the company, and to vote on the same, in person or by proxy, and be eligible to any office in the company; provided that the majority of the directors be British subjects. Shareholders' right to vote. Proviso.

18. All contracts for works of construction or maintenance of the railway shall be made in the manner and according to the formalities prescribed by the by-laws of the board of directors of the company, notwithstanding the second sub-section of section twenty-eight of the Quebec Consolidated Railway Act, 1880. Contracts for construction, &c., of road how made.

19. All deeds or conveyances of land to the company may, for the purposes of this act and in so far as circumstances may permit, be in the form of schedule A, to this act annexed, or in any other form of similar tenor. And in order that all such deeds be duly registered, all registrars, in their respective counties, shall be furnished by and at the expense of the company, with a book containing copies of the form given in the said schedule A or other form of like tenor, a copy of which is to be printed on each page, leaving the necessary blanks to suit each separate conveyance, and on production of such conveyances and on proof of their due execution, they shall enter the same at length in the said book, and shall minute the enregistration or entry on the said conveyance, and the registrars shall exact for all fees on such registration, fifty cents and no more; and such registration shall be deemed to be valid in law, any statute or provision of law to the contrary notwithstanding, and it shall with Form of deeds of conveyances thereof. Registration thereof. Fees therefor. Effect of such registration.

respect to rights of ownership, servitudes, hypothecs and real rights have the same effect as the registration prescribed by the Civil Code.

Commence-  
ment and com-  
pletion of  
works.

**20.** This act shall, for all purposes whatsoever, be deemed valid and in full force and effect, as to such portion or portions of the said railway which may be commenced within five years and completed within ten years from the passing of this act.

Coming into  
force of  
charter.

**21.** This charter shall come into force by proclamation, which shall be issued only after the Lieutenant-Governor in council shall, within twelve months of the sanction of the present act, have proof that the said company is in a position to carry out its undertaking.

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#### SCHEDULE A.

##### *Deed of sale.*

Know all men, by these presents, that I, A. B.,  
of \_\_\_\_\_ for and in consi-  
deration of the sum of \_\_\_\_\_ to me paid  
by the Rimouski and Gaspé Railway Company, which I  
acknowledge to have received, grant, bargain, sell and  
convey unto the said Rimouski and Gaspé Railway Com-  
pany, all that tract or parcel of land (*description of the  
property.*) the same having been selected and laid out by  
the said company, for the purposes of their railway, to  
have and to hold the said lands and premises unto the  
said company, their successors and assigns for ever.

Witness my \_\_\_\_\_ hand and seal  
at \_\_\_\_\_, this \_\_\_\_\_ day  
of \_\_\_\_\_ one thousand eight hundred  
and \_\_\_\_\_

Signed, Sealed and delivered }  
in the presence of }  
C. D. }

A. B. (L. S.)

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CAP. XCVII.

An Act to further amend the act incorporating the Water-  
loo and Magog Railway Company.

[Assented to 30th March, 1883.]

**W**HEREAS the Waterloo and Magog Railway Com-  
pany have, by their petition, represented that they  
are desirous of straightening the line of their Railway,  
between its present terminus, near the outlet of Lake Mem-  
phremagog, and the village of Waterloo, and intend forth-  
with to complete their said Railway to the City of Sher-  
brooke, and that it is necessary for the said purposes that  
they be authorized to issue bonds, and that other powers  
and privileges be granted to them ; and whereas it will be  
to the public advantage to permit the same to be done, and  
it is expedient to grant the prayer of such petition ; There-  
fore, Her Majesty, by and with the advice and consent of  
the Legislature of Quebec, enacts as follows :

1. The Waterloo and Magog Railway Company are here-  
by authorized to straighten their Railway, between the  
village of Waterloo and the outlet of Lake Memphremagog,  
by constructing the same through " The Phifield pass ,"  
so called, and to take up and dispose of their present line  
of Railway in such manner as they shall deem advisable.

Company  
authorized to  
straighten  
their line.

2. With the consent of the present holders of bonds, is-  
sued or authorized under the sixth section of chapter  
twenty-eight of the Statutes of the Province of Quebec,  
passed in the thirty fifth year of Her Majesty's reign, the  
Company are hereby authorized and empowered to cancel  
all Bonds so issued or authorized ; and the surrender and  
cancellation of the said Bonds shall be effected in the pre-  
sence of a notary, duly commissioned and sworn in and  
for the Province of Quebec, and shall be established by a  
deed passed before the said Notary and signed and exe-  
cuted by the President and Secretary of the Company.

Certain bonds  
may be can-  
celled.

3. After all Bonds, heretofore issued or authorized by  
the company, shall have been surrendered and cancelled  
as aforesaid, the Directors of the Company, upon being  
duly authorized thereto, by a vote of the majority of the  
stockholders of the Company, present at any annual meet-  
ing, or at any special meeting of the stockholders called  
for that purpose, shall have power to issue Bonds to the  
amount of one hundred and thirty five thousand pounds  
of sterling money of the United Kingdom of Great Britain

New bonds  
may be issued.

and Ireland, or the equivalent thereof in the lawful currency of the Dominion of Canada, and the power of the Company shall be limited to the said amount.

Bonds by whom signed, &c.

4. The said bonds, the issue whereof is authorized by the preceding section, shall be signed by the President or Vice-President of the Company, countersigned by the Secretary-Treasurer of the Company, and sealed under the corporate seal of the Company; and in order to secure the payment of the said Bonds, the Company, by and through the agency of their said officers as hereinbefore mentioned, duly authorized thereto by a resolution of the majority of the stockholders present at any annual meeting or at any special meeting of the said stockholders called for that purpose, shall have the power to transfer and convey to Trustees (named for that purpose in the said resolution) the lands, franchises, road-bed, rolling-stock, tools and property of all kinds (except the lands described in the deeds referred to in the third section of chapter forty one of the Statutes of the Province of Quebec passed in the forty fourth and forty fifth years of Her Majesty's Reign), and the said conveyance may be made by Deed executed before a Notary in the usual form of Trust Deeds.

Trustees may be appointed for certain purposes.

Power of trustees in default of company paying bonds, &c.

5. If the Company shall make default to pay the said Bonds or the interest thereon, for the period of six months after the same shall have become due, the Trustees, named in the Trust deed, or their successors appointed in the manner provided by the said deed, shall have the power, on the written request of the holders of not less than one fourth of the Bonds, issued under the authority of the third section of this Act, to take possession of the said Railway, lands, rights and property conveyed by the said deed, and hold the same, free and clear from all liability for other debts contracted by the Company, and control and manage the same for the benefit of all the holders of the said Bonds; and a stipulation to this effect shall be embodied in the said deed, an authentic copy whereof shall be enregistered in the Registry office of each of the Counties through which the said Railway shall pass.

Trust deed to be registered.

35 V., c. 28, s. 6, amended.

6. The sixth section of the said chapter twenty eight of the Statutes of the Province of Quebec, passed in the thirty fifth year of Her Majesty's reign is hereby amended by striking out, at the end of the said section, the words: "and shall hold office until the first Wednesday in September in the year following their election."

Idem sec. 11. replaced.

7. The eleventh section of the said chapter twenty eight of the Statutes of the Province of Quebec, passed in the

thirty fifth year of Her Majesty's reign is hereby repealed, and the following is substituted in lieu thereof:

" All deeds and conveyances of lands of the said company may be made in the form given in the schedule A sub-joined to this act, or in any form to the like effect, and the registrars in their respective divisions shall charge and receive the sum of fifty cents and no more for all fees on the registration of each of such deeds. "

Form of deeds of conveyance of land.

Fee for registration.

SCHEDULE A.

FORM OF DEED OF SALE.

Know all men by these presents, that I, A. B., of do hereby, in consideration of paid to me by the Waterloo and Magog Railway Company, the receipt whereof is hereby acknowledged, grant, bargain, sell and convey unto the said Waterloo and Magog Railway Company, their successors and assigns, all that tract, or parcel of land, (describe the land,) the same having been selected and laid out by the said company for the purposes of their railway, to have and to hold the said land and premises unto the said company, their successors and assigns forever.

Witness my hand and seal, at this day of , one thousand eight hundred and

Signed, sealed and delivered } in presence of C. D. } A. B. [L. S.]

CAP. XCVIII.

An Act to incorporate the Iberville and Missisquoi Counties Railway Company.

[Assented to 30th March, 1883.]

WHEREAS the construction of a railway, as hereinafter set forth, would be of great advantage to that part of the Province through which it would pass and to the country adjacent thereto, and whereas a petition has been presented praying for the passing of an act incorporating a company authorized to construct such railway, and it is expedient to grant the prayer of such petition ; Therefore,

Preamble.

Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

- Certain persons incorporated.** **1.** The Reverend Mr. Toussaint Saint-Aubin, Alexis Louis Demers, E. E. Spencer, Joseph Couture, Jules Fortin, Prudent Fortin, François Lafond, Narcisse Demers, George P. Fortin, Pierre Lecompte, Louis H. Trudeau and Dr. Romuald Tassé, with such other persons and corporations as may hereafter become shareholders in the company hereby incorporated, shall be and are hereby constituted a body politic and corporate under the name of "The Iberville and Missisquoi Counties Railway Company.
- Power of company to build a certain railway.** **2.** The said company is vested with all the rights and privileges necessary for the construction and working of a railway, starting from some point in the parishes of St. George of Clarenceville or St. Thomas, in the county of Missisquoi, running towards the north east through the parishes of St. George of Henryville and St. Sebastien in the county of Iberville and the township of Stanbridge, passing by Notre-Dame des Anges de Stanbridge and going towards West Farnham, in the county of Missisquoi.
- General powers of company.** **3.** The company shall have all the powers conferred by the Quebec Consolidated Railway Act, 1880, not inconsistent with the provisions of this act.
- Capital stock and increase thereof.** **4.** The capital stock of the company shall be three hundred thousand dollars, divided into shares of fifty dollars each; but it may be increased, from time to time, by a vote of the majority in value of the shareholders, present in person or represented by proxy, at any meeting convened for such purpose.
- Company may receive land &c. as aid.** **5.** It shall be lawful for the company to receive, as aid in the construction of the said railway, any vacant lands or any other real or personal property, or any sums of money, either as gifts or by way of bonus, or in payment of stock, and legally to dispose of the same, and to alienate the said lands and other real or personal property for the purposes of the company, with the authorization of a majority of the directors.
- Provisional directors.** **6.** The Reverend Toussaint Saint-Aubin, Alexis L. Demers, E. E. Spencer, Joseph Couture, Jules Fortin, Prudent Fortin, François Lafond, Narcisse Demers, George P. Fortin, Dr. Romuald Tassé, Pierre Lecompte and Louis H. Trudeau, are hereby constituted a board of provisional directors of the company and shall remain in office until other directors



are elected by the shareholders, under the provisions of this act; and such directors shall have power and authority to fill vacancies which may arise in the board, to open stock books and have stock taken in the company, to call up and cause to be paid up instalments on the stock subscribed, to issue bonds or debentures, to become parties to promissory notes and bills of exchange, and to commence and carry on the building and working of their railway.

7. When and so soon as ten per cent of the capital stock shall have been subscribed as aforesaid and ten per cent of such subscriptions paid up, the provisional directors, or a majority thereof, may call a general meeting of the shareholders for the election of directors on the first Tuesday of May in each year, in the parish of Notre-Dame des Anges de Stanbridge, or at any other place fixed by by-law, at the place and hour specified in the notice calling such meeting and such notice shall be inserted in a newspaper published in the district of Iberville and in the district of Bedford, during one month previous to the date of the meeting. The other meetings of shareholders shall be published by the laws of the company.

8. The board of directors of the company shall be composed of seven directors, four of whom shall form a quorum. They shall elect two of their members as president and vice-president. No one shall be elected a director unless he be the holder of ten shares of the capital stock of the company and have paid all the calls due thereon.

9. The directors or the majority of them may, from time to time, replace one or more directors who are deceased or have resigned, by selecting from amongst the shareholders one or more persons duly qualified to be directors, and the directors, so appointed, shall remain in office until the ensuing election in May following.

10. The chief place of business and the head office of the company shall be in the parish of Notre-Dame des Anges de Stanbridge or any other place fixed by by-law.

11. The directors of the company are hereby authorized to borrow, either in Canada or elsewhere, all sums of money necessary to complete, maintain and work their railway, to issue mortgage bonds, bearing the seal of the company and signed by the president or other officer acting as president and countersigned by the secretary. These bonds may be payable in such manner, at such places in Canada or elsewhere, and bear such rate of interest as the directors may

Powers.

First meeting for election of directors.

Notice thereof.

Notice of other meetings.

Board of directors and quorum.

Qualification of directors.

Vacancies in board.

Head office.

Company may borrow money and issue bonds.

Bonds where payable &c.

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Proviso.

deem advisable, and may be sold or pledged at such price and on such terms and conditions as they may deem expedient; provided that the amount thereof does not exceed that of the capital stock of the company. And provided also that such mortgage bonds do not exceed twenty thousand dollars per mile of railway built by sections of not less than six miles and that such portion shall have been received by the Government.

Bonds a charge upon property of company.

12. The mortgage bonds, the issue whereof is hereby authorized, shall, without registration or formal transfer, be admitted and considered as first mortgage and privileged claim upon the said company, its undertakings, tolls and revenues and the moveables and immoveables it may acquire, and every holder of such bonds shall be deemed an hypothecary creditor as to such lien, *pro rata* with all the other bondholders.

Bonds &c. payable to bearer.

13. All bonds, debentures, mortgages and other securities authorized by this act and their coupons and certificates of interest due, may respectively be made payable to bearer; and in such case such documents shall be transferable by simple delivery, and the bearer may sue for the recovery thereof in his own name.

Company may become party to bills and notes.

14. The company shall have power and authority to become parties to promissory notes and bills of exchange, for sums not less than one hundred dollars; and any such promissory note or bill of exchange, made or endorsed, drawn or accepted by the president or vice-president of the company and countersigned by the secretary of the company, and under the authority of a majority of a quorum of the directors, shall be binding on the company;

Notes &c. to be considered duly made &c.

And every such promissory note or bill of exchange, so made, shall be presumed to have been made, with proper authority, until the contrary be shown;

Seal thereon not necessary.

President &c. not personally liable.

In no case shall it be necessary to have the seal of the company affixed to such promissory note or bill of exchange, nor shall the president or vice-president or the secretary or treasurer of the company, be individually responsible for the same, unless the said promissory notes or bills of exchange have been issued without the sanction and authority of the board of directors as herein provided and enacted.

Calls.

15. The directors may, at any time, call upon the shareholders for such instalments upon each share, which they or any of them may hold in the capital stock of the company, and in such proportion as they may see fit; except that no such instalment shall exceed ten per cent on the

at such price  
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see fit; except  
er cent on the

subscribed capital, and that one month's notice of each call <sup>Notice there-</sup>  
shall be sent by mail to each shareholder, by means of a <sup>for</sup>  
registered letter.

14. The company may amalgamate with any other rail- <sup>Company may</sup>  
way company whose road it may cross and may make <sup>amalgamate</sup>  
running arrangements for its cars and trains with any <sup>do;</sup>  
railway along its line or which crosses the same.

It is also hereby authorized to enter into and complete <sup>Acquire</sup>  
any agreement, with any such railway company, for the <sup>branches;</sup>  
purpose of acquiring any branch line and to facilitate  
connection between it and any other railway company or  
to acquire the corporate property or assets of such other  
company.

It is also hereby authorized to enter into any agreement <sup>May make</sup>  
with any such company to allow the running of the trains <sup>traffic arrange-</sup>  
of any such railway company over its road, as well as to <sup>ments;</sup>  
lease or sell, assign or transfer to any railway company the  
whole of its road or all its interest in such road, or any  
portion of such road, which shall be built, upon such con-  
ditions as the board of directors may deem expedient.

The company shall also have the right to run its own <sup>May run its</sup>  
trains over any other line of railway which it may inter- <sup>trains over</sup>  
sect; provided it obtains the permission of the company <sup>other lines.</sup>  
interested.

17. All shareholders in the company, whether British <sup>Rights of</sup>  
subjects or aliens or residents of Canada or elsewhere, shall <sup>shareholders.</sup>  
have equal rights to hold stock in the company, and to  
vote on the same, and be eligible to any office in the  
company; provided that the majority of the directors be <sup>Proviso.</sup>  
British subjects.

18. All contracts for construction or maintenance of the <sup>Forms of</sup>  
road shall be passed in the manner and according to the <sup>contracts for</sup>  
formalities set forth by the regulations of the board of <sup>construction.</sup>  
directors of the company, notwithstanding sub-section 2 of  
section 28 of the Quebec Consolidated Railway Act, 1880.

19. All deeds for conveyances of land to the company, <sup>Form of deeds</sup>  
for the purposes of the present act, may, as far as circum- <sup>of conveyance</sup>  
stances permit, be in the form of schedule A to this act <sup>of land.</sup>  
annexed, or in words of like import; and in order that all  
such deeds be duly registered, all registrars, in their <sup>Registration</sup>  
respective counties, shall be furnished, by and at the <sup>thereof.</sup>  
expense of the said company, with a book containing copies  
of the form given in the said schedule A, or in words of  
like import, which are to be printed one on each page,  
leaving the necessary blanks, to suit the circumstances,

upon each separate conveyance, and shall, upon the production of any conveyance, enter and register the same at length in the said book, and shall minute the enregistration or entry on the deed. The registrar shall charge and receive from the said company, for all fees on such registration, fifty cents and no more; and such registration shall be deemed to be valid in law, any statute or provision of law to the contrary notwithstanding, and shall have the same effect as regards the rights of ownership, servitude, hypothecs and real rights, as the registration prescribed by the Civil Code.

**20.** This Act shall, for all purposes, deemed to be valid and in full force and effect as to such portion or portions of the said road which may be commenced within two years and completed within five years from the passing of this Act.

**21.** This charter shall come into force by proclamation, which shall be issued only after the Lieutenant-Governor in Council shall, within twelve months of the sanction of the present Act, have proof that the said company is in a position to carry out its undertaking.

## SCHEDULE A.

### DEED OF SALE.

Know all men by these presents that I, A B., of \_\_\_\_\_ in consideration of the sum of \_\_\_\_\_ paid to me by the Iberville and Missisquoi Counties Railway Company, the receipt whereof is hereby acknowledged, grant, bargain, sell and convey unto the said Iberville and Missisquoi Counties Railway Company, all that tract or parcel of land (*describe the land*), selected and designated by the said company for the purposes of its railway; to have and to hold the said land and premises unto the said company, their successors and assigns forever.

Witness my hand, at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_  
one thousand eight hundred and \_\_\_\_\_

Signed, sealed and delivered in }  
presence of } A. B.  
C. D. }  
E. F. } [L.S.]

## CAP. XCIX.

## An Act to incorporate the Massawippi and Magog Junction Railway Company.

[Assented to 30th March, 1883.]

**W**HEREAS the construction of a Railway, as herein-<sup>Preamble.</sup> after set forth, would be of great advantage in the development of the mineral resources of this Province and in connecting together other systems of Railway now existing and in process of construction, and whereas a petition has been presented praying for the passing of an Act to incorporate a Company authorized to construct the same, and whereas it is expedient to grant the prayer of such petition: Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

**1.** The Honorable Joseph G. Robertson, Eleazer Clark, Robert N. Hall and J. Azarie Archambault, all of the city of Sherbrooke, in the Province of Quebec, and Edward Chas. Bowen, of the city of London, England, with such other persons and corporations as may become shareholders of the Company hereby incorporated, shall be and are hereby constituted a body politic and corporate under the name of "The Massawippi and Magog Junction Railway Company;" and the words "the Company" wherever used in this Act, shall mean the Massawippi and Magog Junction Railway Company hereby incorporated.

**2.** The Company shall have all the powers conferred by the Quebec Consolidated Railway Act, 1880, not inconsistent with the provisions of this Act.

**3.** The Company shall have full power and authority to locate, construct, complete and work a railway from some point on the line of the proposed Waterloo and Magog Railway between the village of Magog and the city of Sherbrooke, thence through the mining region of the Township of Ascot and the Township of Hatley, to a junction with the Massawippi Valley Railway, at some feasible point in the Township of Ascot or Hatley aforesaid.

**4.** The Company may acquire the lands necessary for the construction of its road, stations and other dependencies, and all rolling stock necessary and useful for the working of its road, and may afterwards sell and convey such portion thereof as may be found unnecessary for its use.

Provisional directors.

Proviso.

5. The persons named in the first section of this act are hereby constituted the provisional directors of the Company, and three of them shall form a quorum; they shall remain in office and have all the powers of directors elected by shareholders, until the first election of Directors, which shall be held under this act. Such provisional directors shall have power to open stock books and obtain subscriptions to the capital stock, of the undertaking, and so soon as they shall have obtained sufficient subscriptions to the capital stock, as hereinafter provided, they shall call a meeting of the shareholders of the Company for the purpose of organization, making by-laws and election of Directors.

Capital stock.

6. The Capital Stock of the Company shall be three hundred thousand dollars, and it shall be divided into shares of one hundred dollars each.

Company may receive lands, &amp;c., as aid.

7. It shall be lawful for the company to receive from private individuals, or municipal or other corporations, for the purpose of aiding the construction of the said railway, any real estate or moveable property or any sum of money, as a gift or as a bonus or in payment of shares, and legally to dispose of the same, if not necessary for the uses of the Company. Authority is hereby given to any municipal or other corporation in order to encourage the construction and maintenance of the said Railway to contribute lands or moveable property or money in aid thereof or to subscribe for or purchase shares in the capital stock thereof.

Head office.

8. The head office of the Company shall be in the city of Sherbrooke.

First meeting for election of directors.

Notice thereof.

Method of election.

Number, quorum and qualification of directors.

9. So soon as an amount of fifty thousand dollars of the capital stock of the company shall have been subscribed and ten per cent paid up thereon, the provisional directors may call a meeting of the subscribers for the organization of the Company. Such meeting may be called either by written notice to each of the subscribers, one month in advance of the time fixed for the said meeting, or by advertisement for one month in two newspapers, the one of which is published in the English language and the other in the French language, in the city of Sherbrooke.

At the said meeting, and at all subsequent meetings, the shareholders shall elect by ballot seven directors (four of whom shall be a quorum) who shall compose the board of directors, and who, in order to be qualified, shall hold at least five shares in the capital stock of the company and have paid up calls due thereon. The majority of directors shall be British subjects.

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**10.** The general meeting of shareholders for the election of Directors shall be held on the first Tuesday of June in every year, at the place and hour specified in the notice calling such meeting. Such notice, and all others to be given to shareholders, of meetings or of the calling up of instalments on their shares, shall be given or published in the manner prescribed by the board of Directors or by the by-laws of the Company, and it shall not be necessary to publish them in the Quebec Official Gazette.

Shareholders shall not vote at any meeting unless they have paid up all calls due on their shares.

**11.** The Directors of the Company are hereby authorized to issue bonds, bearing the seal of the Company and signed by the President or Vice-President and Secretary. Such bonds may be made payable in such manner, either in sterling or currency, and at such places in Canada or elsewhere, and shall bear such rate of interest as the Directors may deem advisable; the Directors shall have power to issue and sell or pledge all or any of such bonds at such prices and on such terms and conditions as they may deem fit, for the purpose of raising the amount necessary for carrying out the undertaking; provided the amount of such bonds thus issued does not exceed sixteen thousand dollars per mile of the road constructed or proposed to be constructed; and provided further that no such bonds shall be issued until at least fifty thousand dollars of the capital stock shall have been subscribed and ten per cent paid thereon, as hereinbefore provided.

**12.** The bonds thus issued shall, without registration or formal transfer, be received and considered as a first claim and a privileged debt against the Company, its undertaking, tolls and revenues and the property moveable and immovable which it may acquire; and every holder of such bonds shall be deemed an hypothecary creditor as to such security, *pro rata* with all other holders of bonds of the same issue.

**13.** If the Directors of the Company decide by resolution that it will give additional or preferable security to the said bonds so to do, they are hereby authorized, by and through the ministry of their President or Vice President and Secretary-Treasurer, to convey to Trustees, named for that purpose in the said resolution, the lands, franchises, road-bed, rolling stock, tolls, and property of all kinds of the Railway Company; and the said conveyance may be made by deed executed before a notary or two witnesses in the usual form of trust deeds.

General meet-  
ing for election  
of directors.

Notice thereof.

Shareholders'  
right to vote.

Directors may  
issue bonds.

Where and  
how payable.

Proviso.

Bonds, &c.,  
first privileged  
claim against  
Company with-  
out registra-  
tion.

Trustees may  
be appointed  
by deed.



Powers of trustees in default of Company paying interest, &c.

**14.** If the said Company shall make default to meet the interest on such bonds, for the period of twelve months after the same shall have become due, the Trustees named in the said trust deed or their successors, appointed in accordance with the provisions thereof, shall have the power, upon the written request of the holders of not less than one fourth of the bonds issued under the authority of this act, to take possession of the said railway, lands, rights and property conveyed by the said deed and hold the same free and clear from all liability for other debts contracted by the Company, and control and manage the same for the benefit of all the holders of the said bonds; and a stipulation to this effect shall be embodied in the said deed; which said deed, or an authentic copy thereof, if executed before a notary, shall be enregistered in the Registry office of each of the counties through which the said Railway shall pass.

Cancellation of bonds in certain cases.

**15.** In the event, at any time, of the Company making an issue of bonds, which for any reason they desire to cancel before actual sale or disposal thereof to the public, or after such sale, with the consent of the holders of such bonds, and upon their surrender and cancellation, the Directors of the Company may cause a new issue of bonds to be made applicable to the railway; provided that such issue shall not exceed the limits provided by this act, and no portion thereof shall be disposed of or offered for disposal until all the bonds of any previous issue shall have been surrendered and cancelled, in the presence of a duly commissioned Notary Public practising in the Province of Quebec, and such cancellation established by any act passed before the said Notary, signed and executed by the President or Vice-President and Secretary of the said Company.

Proviso as to new issue.

Company may become party to promissory notes, &c.

**16.** The Company shall have power and authority to become parties to promissory notes and bills of exchange, for sums not less than one hundred dollars; and any such promissory note or bill of exchange made or endorsed, drawn or accepted, by the President or Vice-President of the Company, and countersigned by the Secretary-Treasurer of the Company, and under the authority of a majority of a quorum of the Directors, shall be binding on the Company, and every such promissory note or bill of exchange so made, shall be presumed to have been made with proper authority, until the contrary be shown; in no case shall it be necessary to have the seal of the Company affixed to such promissory note or bill of exchange, nor shall the President or Vice-President or the Secretary-Treasurer of the Company, be individually responsible for the same, unless the said

Seal thereon not necessary.

promissory note or bill of exchange has been issued without the sanction and authority of the board of Directors, as provided and enacted in this section.

**17.** The Company shall have power to establish, along the line of its road, telegraph or telephone lines, which it shall work for its own benefit, and it shall have the right to make any agreement approved by the directors with any telegraph or telephone company.

**18.** The Company shall have the right, upon a resolution of the shareholders to that effect, to sell or lease or to amalgamate the said railway with any other line of railway, now existing or which may hereafter be constructed, or with any mining or smelting company, upon such terms and upon such conditions as to the said Company shall seem best.

**19.** All deeds for conveyances of land to the Company may, as far as circumstances permit, be in the form of schedule A to this act annexed, or in words of like import; and in order that all such deeds be duly registered, all registrars, in their respective counties, shall be furnished, by and at the expense of the said company, with a book containing copies of the form given in the said schedule A, or in words of like import, which are to be printed one on each page, leaving the necessary blanks to suit the circumstances upon each separate conveyance, and shall, upon the production of any conveyance, enter the same in the said book, and shall minute the enregistration or entry on the deed. The registrar shall charge and receive from the said Company, for all fees on such registration fifty cents and no more; and such registration shall be deemed to be valid in law, any statute or provision of law to the contrary notwithstanding, and shall have the same effect as regards the rights of ownership, servitude, hypothecs and real rights, as the registration prescribed by the Civil Code.

**20.** This charter shall come into force by proclamation, which shall be issued only after the Lieutenant-Governor in Council shall within twelve months of the sanction of the present act, have proof that the said Company is in a position to carry out its undertaking.

## SCHEDULE A.

## FORM OF DEED OF SALE.

Know all men by these presents that I, A. B., of  
do hereby in consideration of \_\_\_\_\_ paid to me by the  
Massawippi and Magog Junction Railway Company, the  
receipt whereof is hereby acknowledged, grant, bargain,  
sell and convey unto the said Company, its successors and  
assigns, all that tract or parcel of land (*describe the land*),  
the same having been selected and laid out by the said  
Company for the purposes of its railway; to have and to  
hold the said land and premises unto the said Company,  
its successors and assigns for ever.

Witness my hand and seal, at \_\_\_\_\_, this \_\_\_\_\_ day  
of \_\_\_\_\_ one thousand eight hundred and eighty \_\_\_\_\_

Signed, sealed and delivered in }  
the presence of \_\_\_\_\_ } A. B. [L.S.]  
C. D. }

\_\_\_\_\_  
CAP. C.

An Act to incorporate the Lachine and Hochelaga Railway  
Company

[Assented to 30th March, 1883.]

Preamble.

**W**HEREAS John McDougall, L. A. Sénécal, George  
A. Drummond, Jean Bte. Renaud, Robert Cowan,  
Alexander S. Louthood, L. J. Forget, Téléphore E. Normand,  
J. B. A. Mongenais and others have, by their petition, prayed  
for the incorporation of a Company to construct the Railway  
hereinafter described, and whereas the construction of the  
said railway would be a great advantage to trade and to  
the public, and whereas it is expedient to grant the prayer  
of such petition: Therefore, Her Majesty, by and with the  
advice and consent of the Legislature of Quebec, enacts as  
follows:

Certain per-  
sons incor-  
porated.

Name.

1. The persons named in the preamble and such other  
persons and corporations as shall become shareholders in  
the company hereby incorporated, shall be and are hereby  
constituted a body politic and corporate, by the name of  
the "Lachine and Hochelaga Railway Company," and shall  
be the provisional directors of the Company.

2. The said Company and their servants shall have full power and authority to lay out, construct, make and finish a single or double railway, with iron or steel rails, of such width and gauge as the Company may judge most advantageous, from any point in the town or in the parish of Lachine, to a point on the bank of the river St. Lawrence, in the village of Hochelaga, passing in rear of the mountain of Montreal, with power to construct a line of railway from the aforesaid starting point, alongside of the Grand Trunk Railway, or to use their line, with permission, to Point St. Charles, and to construct a branch from the line of the Grand Trunk Railway, or the branches thereof, to the Canada Sugar Refining Company's premises; provided the City Council of Montreal grant the authorization therefor, and with power to extend such line of railway from the starting point to Dorval on one side and to the northern end of the Island of Montreal on the other.

Power of company to build a certain railway.

3. The head office and chief place of business of the Company shall be at the city of Montreal.

Head office.

4. The Capital Stock of the Company shall be one million dollars, to be divided into ten thousand shares of one hundred dollars each, which amount shall be raised by the persons hereinbefore named, and such other persons and corporations as may become shareholders in the Company.

Capital stock.

5. John McDougall, L. A. Sénécal, Geo. A. Drummond, Jean Bte. Renaud, Robert Cowan, Alex. S. Louthood, L. J. Forget, Téléphore E. Normand, and J. B. A. Mongenais, shall be and are hereby constituted the provisional Board of Directors of the Company, and shall hold office as such until the Directors shall be appointed, under the provisions of this Act, by the shareholders, and shall have power and authority to fill vacancies occurring therein; and the persons so appointed to fill vacancies shall thereupon become and be Directors of the Company equally with themselves; and the said provisional directors shall have power to open stock books and procure subscriptions for the undertaking, to cause surveys and plans to be made and executed, and to call a general meeting of shareholders for the election of Directors as hereinafter provided.

Provisional directors, and powers.

6. When and so soon as one-tenth part of the capital stock of the Company shall have been subscribed as aforesaid, and ten per centum thereof paid up, the said Directors, or a majority of them, may call a meeting of the shareholders at such time as they shall think proper, giving at

First meeting for election of directors and notice therefor.

least one month's notice in one or more newspapers published in the city of Montreal, and in the *Quebec Official Gazette*; at which said general meeting and at the annual general meetings, in the following sections mentioned, the shareholders, present in person or represented by proxy, shall elect Directors in the manner and qualified as herein-after provided, to constitute the Board of Directors; and the said Directors, so elected, shall hold office till the first Tuesday in March in the year following their election.

Annual general meetings for election of directors.

Notice thereof.

Method of election and number of directors.

Quorum.

Qualification of directors.

Calls.

Issue of paid up stock &c., authorized.

7. On the said first Tuesday in March, and on the first Tuesday in March, in each year thereafter, at the principal office of the Company, there shall be held a general meeting of the shareholders of the Company, at which meeting the said shareholders shall elect the Directors for the then ensuing year, in the manner and qualified as herein-after provided; and public notice of such annual meeting and election shall be published for one month before the day of election, one day in each week, in one or more newspapers published in the city of Montreal, and also in the *Quebec Official Gazette*, and the election of Directors shall be by ballot and the persons so elected shall form the Board of Directors; the number of the Directors to be so elected shall be settled by the by-laws of the Company, and shall not be less than five nor more than nine.

8. A majority of the Directors shall form a quorum for the transaction of business, and the said Board of Directors may employ one or more of their number as paid Director or Directors; provided however, that no person shall be elected as Director unless he shall be the holder and owner of at least one hundred shares of the stock of the Company, and shall have paid up all calls upon the said shares.

9. The Directors may at any time call upon shareholders for instalments upon each share, which they or any of them may hold in the capital stock of the Company, in such proportion as they may see fit, no such instalment exceeding ten per cent; and the Directors shall give one month's notice of such call in such manner as they may appoint.

10. The Directors of the Company, elected by the shareholders, may make and issue, as paid up stock, shares in the Company, whether subscribed for or not, and may allot and hand over such stock as paid-up stock, and the mortgage bonds of the Company, in payment of right of way, plant, rolling stock or material of any kind, and also for

the services of contractors, engineers or employees of the Company; and such allotment and issue of stock or bonds shall be binding on the Company, and the paid-up stock shall be unassessable thereafter for calls.

11. The Directors of the Company shall have power, and they are hereby authorized to issue mortgage bonds, made and signed by the President or Vice-President of the Company, and countersigned by the Secretary and Treasurer, and under the seal of the Company, for the purpose of raising money for prosecuting the said undertaking; and such bonds shall, without registration or formal conveyance, be taken and considered to be the first and preferential claims and charges upon the undertaking and the tolls and property of the Company, real and personal, then existing and at any time thereafter acquired; provided however, that the whole amount of such issue of bonds shall not exceed in all the sum of fifteen thousand dollars per mile; and provided also, that in the event at any time of the interest upon the said bonds remaining unpaid and owing, then, at the next ensuing annual general meeting of the Company and at all other general meetings, as long as the said default shall continue, all holders of bonds shall have and possess the same rights and privileges and qualifications for Directors and for voting as they would have had, if the bonds they held had been shares; provided that the bonds and any transfers thereof shall have been first registered in the same manner as is provided for the registration of shares; and it shall be the duty of the Secretary of the Company to register the same, on being required so to do by any holder thereof.

12. And the Company may secure such bonds by a deed or deeds of mortgage executed by the Company; and any such deed may contain such description of the property mortgaged by such deed, and such conditions respecting the payment of the bonds secured thereby and of the interest thereon, and the remedies which shall be enjoyed by the holders of such bonds, or by any trustee or trustees for them in default of such payment and the enforcement of such remedies, and may provide for such forfeitures and penalties in default of such payment, and may also contain authority to the trustee or trustees, upon such default, as one of such remedies, to take possession of the railway and property mortgaged, and to hold and run the same for the benefit of the bondholders thereof, for a time to be limited by such deed, or to sell the said railway and property after such delay and upon such terms and conditions as may be stated in such deed; and any such deed may contain pro-

visions to the effect that, upon such default and upon such other conditions as shall be described in such deed, the right of voting possessed by the shareholders of the Company shall cease and determine, and shall thereafter appertain to the bondholders; and such deed may also provide for the conditional or absolute cancellation, after such sale, of any or all of the shares so deprived of voting power, and may also, either directly by its terms, or indirectly by reference to the by-laws of the company, provide for the mode of enforcing and exercising the powers and authority to be conferred and defined by such deed, under the provisions hereof; and such deed and the provisions thereof, made under the authority hereof and such other provisions thereof, as shall purport to grant such further and other powers and privileges to such trustee or trustees and to such bondholders, as are not contrary to law or to the provisions of this act, shall be valid and binding; but if any change in the ownership or possession of the said railway and property shall, at any time, take place under the provisions hereof or of any such deed, or in any other manner, the said railway and property shall continue to be held and operated under the provisions hereof and of "The Quebec Consolidated Railway Act, 1880," as hereby modified.

Proviso for change in ownership of railway.

Form of bonds, &c.

**13.** The bonds, authorized by this Act to be issued by the company, may be so issued in whole or in part, in the denomination of dollars or pounds sterling, or in either or both of them, and the coupons may be for payment in denominations similar to those of the bond to which they are attached; and the whole or any of such bonds may be pledged, negotiated or sold upon such conditions and at such price as the Board of Directors shall, from time to time, determine.

Registration of deed not necessary.

**14.** It shall not be necessary, in order to preserve the priority, lien, charge, mortgage or privilege, purporting to appertain to or be created by any bond issued, or mortgage deed executed under the provisions of this act, that such bond or deed should be registered in any manner, or in any place whatever; and a copy of any such mortgage, deed or agreement, certified to be a true copy by the Secretary, shall be received as *prima facie* evidence of the original in all courts of justice, without proof of the signatures or seal upon such original.

Company may become party to bills and notes, &c

**15.** The company shall have power and authority to become parties to promissory notes and bills of exchange of not less than one hundred dollars; and any such promissory note or bill of exchange made, accepted or endorsed by



the President or Vice-President of the Company, and countersigned by the Secretary and Treasurer, under the authority of a majority of a quorum of the Directors, shall be binding on the Company ; and every such promissory note or bill of exchange so made, shall be presumed to have been duly made with the proper authority until the contrary be shown ; and in no case shall it be necessary to have the seal of the Company affixed to any promissory note or bill of exchange ; nor shall the President or Vice-President or the Secretary and Treasurer of the Company be individually responsible for the same, unless the said promissory note or bill of exchange has been issued without the sanction and authority of the board of Directors as herein provided and enacted ; provided, however, that nothing in this section shall be construed to authorize the Company to issue notes or bills of exchange payable to bearer, or intended to be circulated as money, or as the notes or bills of a bank.

Seal thereon not necessary.

Proviso.

**16.** The Company shall have full power and authority to construct, work and operate a line or lines of telegraph or telephone, or both, in connection with and along the line of their railway and branches.

Company may build and work telegraph and telephone lines.

**17.** The Company shall have power and authority to erect and maintain docks, dock-yards, wharves, slips, piers, warehouses and elevators at any point on or in connection with the said railway, and at all the termini thereof on navigable waters, except upon the property of the Harbour Commissioners of Montreal, within the limits of the Harbour of Montreal, for the convenience and accommodation of vessels, and to acquire, own, hold, charter, work and run steam and other vessels for cargo and passengers upon any navigable waters which the Lachine and Hochelaga Railway Company may reach or connect with.

Company may build, &c. docks, &c.

**18.** The Company may enter into any arrangement with any other railway company, for leasing the said railway or any part or branch thereof, or the use thereof, at any time or for any period, or for leasing or hiring from the said Company, any railway or any part or branch thereof or the use thereof, at any time or times and for any period ; provided, that the terms of such amalgamation, acquisition, lease, sale, arrangement or agreement are sanctioned by a majority of shareholders, present in person or represented by proxy, at a special general meeting called for the purpose of considering the same ; and the Company shall also have the power to enter into any arrangement with any other railway company for leasing or hiring, as lessors or lessees, any locomotives, tenders, cars, or other rolling

Company may lease &c., road, &c.

stock or moveable property, from or to any such company or any company or individuals; and, generally, to make any agreement or arrangement with any other such company, touching the use by one or the other or by both, of the said railway or rolling stock or moveable property of either or both, or any part thereof, or touching any service to be rendered by the one to the other and the compensation therefor.

Company may amalgamate with others, &c.

**19.** The Company shall have power to amalgamate or make arrangements with any line of railway, which shall cross or join its line, and shall also have full power and authority to enter into and conclude any arrangements, with any other railway company, for the purpose of acquiring any branch or branches to facilitate the connection between the Company hereby incorporated and such other railway company, or to acquire the corporate property and franchise of any other company.

Railway acquired by company to be deemed to be railway built under 43-44 Vict., c. 43.

**20.** Except, as otherwise provided by this act, every railway, in the Province of Quebec, acquired by the Company, either by purchase or amalgamation, and every branch, in the Province of Quebec, made or acquired by the Company, in pursuance of any arrangement under the provisions of this act, shall be held and deemed to be, according to the true intent and meaning of the "Quebec Consolidated Railway Act, 1880," a railway constructed under the authority of an act passed by the Legislature of Quebec.

Shareholders' right to vote.

**21.** All shareholders in the Company, whether British subjects or aliens, or residents in Canada or elsewhere, shall have equal rights to hold stock in the Company and to vote on the same, and shall be eligible to any office in the Company.

Form of deeds of conveyance of land.

**22.** All deeds and conveyances of lands to the Company for the purposes of this Act, in so far as circumstances will admit, may be in the form of the Schedule to this Act subjoined.

Commencement and completion of works.

**23.** The construction of the railway shall be commenced during the year 1883, and shall be completed within four years from the passing of this act.

Coming into force of charter.

**24.** This charter shall come into force by proclamation which shall be issued only after the Lieutenant-Governor in council shall, within twelve months of the sanction of the present act, have proof that said company is in a position to carry out its undertaking.

## SCHEDULE.

## DEED OF SALE.

Know all men by these presents that \_\_\_\_\_ of \_\_\_\_\_ in the county of \_\_\_\_\_, for and in consideration of the sum of \_\_\_\_\_ to \_\_\_\_\_ paid by the "Lachine and Hochelaga Railway Company," which \_\_\_\_\_ acknowledge to have received, do grant, bargain, sell, and convey unto the said "Lachine and Hochelaga Railway Company," their successors and assigns, all that tract or parcel of land (*describe the land*), the same having been selected and laid out by the said Company, for the purposes of their railway, to have and to hold the said lands and premises unto the said Company, their successors and assigns for ever.

Witness \_\_\_\_\_ hand and seal  
at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ one thousand  
eight hundred and \_\_\_\_\_

Signed, sealed and delivered }  
in the presence of \_\_\_\_\_ A.B. [L.S.]  
C.D.

## CAP. CI.

An Act to amend the act incorporating "The Jacques-Cartier Union Railway Company."

[Assented to 30th March, 1883.]

**W**HEREAS "The Jacques-Cartier Union Railway Company," have, by petition, prayed for amendments to their act of incorporation, and whereas it is expedient to grant the prayer of the said petition; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. The Act, 43-44 Vict., chap. 50, is amended by striking 43-44 V., c. 50 amended.  
out section 16.

2. The Company, having been declared to be incorporated by a proclamation issued by the Lieutenant-Governor of this Province and published in the Quebec Official Gazette, dated the thirtieth day of September last past, is hereby declared to have been legally constituted a body Company declared to have been legally incorporated under 43-44 V., c. 50.

politic and corporate in virtue of the said Act, 43-44 Victoria, chap. 50, and of the said proclamation, notwithstanding any doubts to the contrary.

**Act in force.** **3.** This Act shall come into force on the day of its sanction.

## LIST OF THE RAILWAYS, RAILWAY BRIDGES AND TUNNEL

Companies, chartered by the Legislature of the Province of Quebec,  
from 1867 to 1883 inclusive, with date of the charter of every  
such incorporated Company.

NAME OF RAILWAY.	INCORPORATED BY.	CHARTER.
Bay of Chaleurs.....	L. of P. Q.	1872-82
Canada Central.....	Canada.	1861
Central Vermont.....		
Cap Rouge and St. Lawrence.....	L. of P. Q.	1883
Grand Trunk.....	Canada.	1862
Great Northern.....	L. of P. Q.	1883
Huntingdon Tramway.....	"	1870
Intercolonial.....	Canada.	1867
Iberville and Missisquoi Counties.....	L. of P. Q.	1883
Jacques Cartier Union.....	"	1880
Joliette.....	"	1879
" formerly St. Lawrence and Industry		
Village.....	Canada.	1847
Lachine and Pointe Claire Loop Line.....	L. of P. Q.	1880
Lake Champlain and St. Lawrence Junction.	"	1875
" formerly Phillipsburg Farnham and		
Yamaska.....	"	1871
Laurentian.....	"	1874
" formerly Montreal and Laurentian.	"	1872
Levis and Kennebec.....	"	1869
" now Quebec Central.....	"	1881
Lachine and Hochelaga.....	"	1883
Massawippi and Grand Trunk Junction.....	"	1874
" Valley.....	Canada.	1862
Missisquoi and Black Rivers Valley.....	L. of P. Q.	1870
" now Missisquoi Valley.....	"	1881
" Valley.....	"	1881
" formerly Missisquoi and Black Ri-		
vers Valley.....	"	1870
Missisquoi Junction.....	"	1869
" now Montreal, Chambly and Sorel.	"	1874

LIST OF THE RAILWAYS, RAILWAY BRIDGES AND TUNNEL COMPANIES.—*Continued.*

NAME OF RAILWAY.	INCORPORATED BY.	CHARTER.
Montreal and Laurentian.....	"	1872
" now Laurentian .....	"	1874
" and Sorel.....	"	1881
" City Passenger.....	Canada.	1861
" { Chambly and Sorel... ..	L. of P. Q.	1871
" { now Montreal, Portland and Boston.	"	1875
" Island.....	"	1878
" { Northern Colonization.....	"	1869
" { now Quebec, M, O. and Occidental.	"	1875
" { Portland and Boston.....	"	1875
" { formerly Montreal, Chambly and Sorel.....	"	1871
Mountain Park Railway and Elevator.....	"	1881
Massawippi and Magog Junction.....	"	1883
North Shore.....	Canada	1856
" now Quebec, M., O. and Occidental	L. of P. Q.	1875
Ottawa and Gatineau Valley (1).....	"	1871
" " (2).....	"	1879
Pacific Railway.....	Canada.	1871-72
Philipsburg, Farnham and Yamaska .....	L. of P. Q.	1871
" now Lake Champlain and St. Lawrence Junction.....	"	1878
Pointe Levis and Indian Cove Junction.....	L. of P. Q.	1871
Pontiac Pacific Junction.....	D. of C.	1881
Papineau Seigniory.....	L. of P. Q.	1883
Quebec and Gosford.....	"	1869
" now Quebec and Lake St. John.....	"	1870
" { and Lake St. John.....	"	1870
" { formerly Quebec and Gosford....	"	1869
" and New-Brunswick.....	Canada.	1861
" { Central.....	L. of P. Q.	1875
" { formerly Sherbrooke, East Town.	"	1869
" Frontier.....	Canada.	1861
" Montmorency and Charlevoix.....	L. of P. Q.	1881
" { Montreal, Ottawa and Occidental....	"	1875
" { formerly North Shore and.....	Canada.	1856
" { Montreal Northern Colonization.....	"	1869
Richelieu, Drummond and Arthabaska.....	L. of P. Q.	1869
" now South Eastern.....	"	1872
Rimouski and Gaspé.....	"	1883

LIST OF THE RAILWAYS, RAILWAY BRIDGES AND TUNNEL COMPANIES.—Continued.

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 1883

NAME OF RAILWAY.	INCORPORATED BY	CHARTER.
St. Francis and Megantic International.....	Canada.	1861
“ Valley and Kennebec.....	L. of P. Q.	1869
St. John's and Clarenceville Junction.....	“	1870
“ and Sorel.....	“	1880
“ street (Quebec).....	“	1876
St. Lawrence and Industry Village.....	Canada.	1847
“ now Joliette.....	L. of P. Q.	1879
“ Bridge Company.....	“	1875
“ Lower Laurentian and Saguenay...	“	1875
“ River Tunnel Company.....	“	1880
Sherbrooke, Eastern Townships and Ken- nebec .....	“	1869
“ now Quebec Central.....	“	1875
South Eastern Counties Junction.....	Canada.	1866
“ now South Eastern.....	L. of P. Q.	1872
“ “ .....	“	1872
“ formerly South Eastern Counties Junction .....	Canada.	1866
South Shore Railway and Tunnel.....	L. of P. Q.	1880
Stanstead, Shefford and Chambly.....	Canada.	1861
Saguenay and Lake St John.....	L. of P. Q.	1883
St. Lawrence and Temiscouata.....	“	1883
Three Rivers and North Western.....	“	1882
The Lake Temiscamingue.....	“	1883
United Counties.....	“	1883
Waterloo and Magog.....	“	1871
Wentworth Ry. Co.....	“	1882



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