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No. 44.

5th Session, 1st Parliament, 35 Victoria, 1872.

BILL.

An Act to incorporate the Quebec Frontier
Railway Company.

PRIVATE BILL.

Mr. SCRIVER.

OTTAWA:

Printed by I. B. TAYLOR, 29, 31 & 33 Rideau Street.

1872.

An Act to incorporate the Quebec Frontier Railway Company.

WHEREAS the Hon. L. H. Holton, M.P., Julius Scriver, M.P., Alfred Pinsonneault, M.P., François Bourassa, M.P., D. A. Macdonald, M.P., and François Béchard, M.P., have by their petition represented that the Railway and branches hereinafter described would be of great benefit to the commerce and for the general advantage of the Dominion of Canada, and have petitioned for the incorporation of a Company, for the purpose of constructing such line and branches, and it is expedient to grant their prayer : Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :

Preamble.

1. The Frontier Railway is hereby declared to be a work for the general advantage of Canada.

The railway a work for advantage of Canada.

2. Hon. L. H. Holton, Julius Scriver, M.P., Thomas Sanders, M.P.P., Dr. Laberge, M.P.P., A. Esinhart, M.P.P., Dr. Brigham, M.P.P., L. D. Lafontaine, M.P.P., James McGowan, George Cross, Daniel Macfarlane, the younger Joshua Breadner, James Wattie, Joseph Holbrook, William Cantwell, Peter Gardiner, and Daniel Shanks, 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 Frontier Railway Company," and shall have all the powers incident to railway corporations in general and the powers and privileges conferred on such corporations by "The Railway Act" of 1868, subject to the provisions hereinafter contained.

Certain persons incorporated.

Corporate name and powers.

3. The said Company, their agents, and their servants, may lay out, construct, and finish a double or single track, iron or steel Railway, of such width or gauge as the Company may see fit from the southern frontier of the County of Missisquoi, in a westerly direction through the counties of Missisquoi, Iversville, St. John's, Napierville, Chateauguay and Huntingdon, to a point on the Province Line on the southwestern frontier of the said last named county, there to connect with a railway in the State of New York leading to Ogdensburgh, and also two branch railway lines, one from the southern frontier of Huntingdon County there to connect with a railway to be constructed in the State of New York, to Grand Isles on the south shore of the St. Lawrence, and the other from some point on the main line through the County of Chateauguay to a point on the Montreal and Champlain Railway, near St. Lambert, or to the Victoria Bridge.

Company may build railway,

And branches.

4. The Capital Stock of the said Company shall not exceed two million dollars, to be divided into forty thousand shares, of fifty dollars each, which amount shall be raised by the persons hereinbefore named, and such other persons and corporations as

Capital stock.

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 survey, 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 any municipality 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 stock, or on account of any sum granted in aid of the said Railway by such municipality.

5. It shall be lawful for the said Company to receive either by grant from Government, or from any individuals, or corporations, municipal or otherwise, 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 lands and other real or personal property for the purposes of the said Company in carrying out the provisions of this Act.

Provisional
Directors.

6. Hon. L. H. Holton, M.P., Julius Scriver, M.P., Thomas Sanders, M.P.P., Dr. Laberge, M.P.P., A. Esinhart, M.P.P., Dr. Brigham, M.P.P., L. D. Lafontaine, M.P.P., James McGowan, George Cross, Daniel Macfarlane, the younger, Joshua Breadner, James Wattie, Joseph Holbrook, William Cantwell, Peter Gardner, and Daniel Shanks, shall be and are hereby constituted a Board of Provisional 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 to fill vacancies occurring therein, 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 the 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. The said Provisional 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 parties subscribing to the Capital Stock of the said Company shall be considered proprietors and partners in the same.

Powers.

May open
stock books.

First general
meeting of
Shareholders.

7. When and so soon as one-tenth part of the said 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 paid in, the said Directors or a majority of them may call a meeting of the Shareholders at such time and place as they shall think proper, giving at least two weeks' notice thereof in one or more newspapers published at Montreal and Huntingdon, 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 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 second Wednesday in the Month of February, in the year following their election.

8. On the said second Wednesday in the Month of February Annual general meeting.
 5 and on the second Wednesday in the Month of 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 Shareholders shall elect a like number
 10 of seven Directors for the ensuing year in the manner and qualified as hereinafter provided. And public notice of such Annual Meeting and Election shall be published one month before
 the day of election in one or more newspapers in Montreal and in Huntingdon, and the election of Directors shall be by ballot, and the persons so elected, together with any *ex officio* Directors, shall
 15 form the Board of Directors.

9. A majority of the Directors shall form a quorum for the Quorum.
 transaction of business, and the said Board of Directors may employ one or more of their number as paid Director or Directors; Paid Director.
 Provided, however, that no person shall be elected a Director Proviso.
 20 unless he shall be the holder and owner of at least twenty shares of the Stock of the said Company and shall have paid up all calls upon the said Stock.

10. Any Municipal Council of a Municipality which has given Representa-
tion of Muni-
cipalities.
 a bonus in aid of the said Railway or its branches amounting to
 25 not less than ten thousand dollars shall be entitled during the construction of the Railway or its branches, 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
 30 General Railway or any other Act, but such Municipality shall incur no liability by the appointment of such Director.

11. The Mayor or other chief Municipal Officer of any Muni- Who may be
appointed
Director for
municipality.
 cipality subscribing towards the said undertaking a bonus of not
 less than ten thousand dollars, or holding not less than forty shares
 35 in the Stock of the Company shall be eligible to the office of Director.

12. In the election of Directors under this Act and in the Votes,
 transaction of all business at General Meeting of Shareholders, each
 Shareholder shall be entitled to as many votes as he holds shares
 40 upon which the calls have been paid up.

13. The Directors may at any time call upon the Shareholders Calls.
 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.,
 45 and the Directors shall give one month's notice of such call in such manner as they may appoint.

14. The said Company shall have power and authority to Power to
become parties
to Promissory
Notes.
 become parties to Promissory Notes and Bills of Exchange for
 sums not less than one hundred dollars, and any such Promissory
 50 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 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: 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.

Proviso.

Power to issue debentures.

15. The Directors of the said Company shall have the power upon being duly authorized thereto by a vote of a majority of 15 Stockholders in the said Company present at any Annual Meeting in the Month of February for the purpose of electing Directors, to issue their bonds or debentures 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 or debentures shall be and be considered to be privileged claims upon the property of the said Company and shall bear *hypothèque* upon the said Railway without registration: Provided, however, that no such bonds or debentures bearing such *hypothèque* 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 of 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.

Arrangements 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 the Company and such other chartered railway company.

Company may lease their railway, or may rent other railways.

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 from such other company 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; 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 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 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

Proviso— Agreement to be submitted to shareholders

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 5 Railway Act of 1868.

18. All Shareholders in the said Company, whether British subjects, or aliens, or residents of Canada, or elsewhere, have and shall have equal rights to hold stock in the said Company and to vote on the same and to be eligible to office in the said Company. All share-holders may vote and hold office.

10 19. Any deed of conveyance of land to the said Company may 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 the officers usually authorised to receive the same, and a deed in such form or in 15 words of like import shall be a legal and valid conveyance of the lands 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. Form of conveyance of land.

20 20. The powers given by this Act shall be exercised by the commencement of the said Railway within ten years after the passing of this Act and its completion within fifteen years there- from. Line of commencement and completion limited.

21. This Act shall be known and cited as "The Frontier Railway Act." Short time.

SCHEDULE A.

FORM OF DEED OF SALE.

Know all men by these presents, that I, A.B., of do hereby in consideration of the Frontier Railway Company, the receipt whereof is hereby acknowledged, grant, bargain, sell, and convey unto the said Frontier 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 one thousand eight hundred and day of

Signed, sealed, and delivered in presence of

C.D. (L.S.)