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No. 187.

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4th Session, 6th Parliament, 24 Vic., 1861.

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**BILL.**

An Act to incorporate the Montreal City  
Passenger Railway Company.

(PRIVATE BILL.)

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Received and read, 1st time, Monday, 2nd  
April, 1861.

Second reading, Friday, 3rd May, 1861.

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Mr. ABBOTT.

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**QUEBEC:**  
PRINTED BY THOMPSON, HUNTER & CO.,  
STE URSULE STREET.

**An Act to incorporate the Montreal City Passenger Railway Company.**

**W**HEREAS the persons hereinafter named have, by their petition, Preamble.  
 prayed that they be incorporated under the title of "The  
 Montreal City Passenger Railway Company," for the purpose of con-  
 structing and operating Street Railways in the City and Parish of  
 5 Montreal; And whereas it is expedient to grant the prayer of the  
 petitioners; Therefore Her Majesty, &c., enacts as follows :

I. William Molson, John Ostell, William Dow, Johnston Thomson, Incorporation  
 William Macdonald, John Carter, Thomas Ryan, William E. Phillips,  
 10 and such other persons as shall become shareholders of the said Com-  
 pany, are hereby constituted a body corporate and politic, for the  
 purposes herein mentioned, by the name of "The Montreal City  
 Passenger Railway Company of Montreal."

II. The capital stock of the Company shall be three hundred thousand Capital.  
 dollars, in shares of fifty dollars each.

15 III. The Company may commence operations and exercise the When the  
Company may  
commence,  
 powers hereby granted so soon as one hundred thousand dollars of the  
 capital stock shall be subscribed and twenty per cent. thereon paid up.

IV. The Company are hereby authorized and empowered to construct, Company may  
construct and  
work a Street  
Railway by  
animal power.  
 20 complete, maintain, and from time to time remove and change, a double  
 or single iron Railway, with the necessary side tracks, switches and  
 turn-outs and other appliances, for the passage of cars, carriages and  
 other vehicles adapted to the same, upon and along the streets in the  
 City of Montreal mentioned in the By-law of the Corporation of the  
 City of Montreal, numbered two hundred and sixty-five, and in confor-  
 25 mity with the said By-law, and with the divisions, and subject to the  
 limitations set forth and provided by the said By-law, and upon and along  
 the highways in the Parish of Montreal leading into the said streets and  
 contiguous thereto, or any of them, and to take, transport and carry  
 passengers upon the same, and to construct and maintain all necessary  
 30 works, buildings and conveniences therewith connected; and to use and  
 occupy any and such parts of any of the streets or highways aforesaid  
 as may be required for the purpose of their Railway track and the  
 laying of the rails and the running of their cars and carriages.

V. The rails of the Railway shall be laid flush with the streets and Railway to be  
flush with the  
streets.  
 35 highways, and the Railway track shall conform 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 and may be lawful for them to do, provided they do not interfere  
 40 with or impede the running of the 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.

Board of  
Directors.

VII. The affairs of the Company shall be under the control of and shall be managed and conducted by a Board to consist of seven Directors, each of whom shall be a stockholder to an amount of not less than five hundred dollars, and shall be elected on the first Wednesday of November of every year at the office of the Company; and all such elections shall be by ballot, by a plurality of the votes of the stockholders present, each share to have one vote, and stockholders not personally attending may vote by proxy; and the Directors so 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 others shall be chosen to fill their places; and, if any vacancy shall at any time happen of the President or Directors, the remaining Directors shall supply such vacancy for the remainder of the year. 5  
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Qualification.

Election.

Vacancies.

VIII. The said William Molson, John Ostell, William Dow, Johnston Thomson, and William Macdonald, shall be the first Directors of the Company, and shall severally hold their offices till the first Wednesday of November next after the Company goes into operation.

IX. 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 entering into arrangements and contracts with the said City or the adjoining Municipalities, the declaration and payment of dividends out of the profits of the said Company, the form and issuing of stock certificates, and the transfer of shares, 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 in general to do all things that may be necessary to carry out the objects and exercise the powers incident to the Company. 20  
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X. The stock of the Company shall be deemed personal estate, and shall be transferable in such way as the Directors shall by By-law direct. 35

XI. 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 stockholders may hold the election on any other day in the manner provided for by 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. 40

XII. The Company may purchase, lease, hold acquire and transfer all real or personal estate necessary for carrying on the operations of the Company. 45

Power to bor-  
row money.

XII. The Directors of the Company may from time to time, raise or borrow for the purposes of the Company, any sum or sums not exceeding in the whole, one hundred thousand dollars by the issue of Bonds or Debenturee, in sums of not less than one hundred dollars, on 50

such terms and credit as they may think proper, and may pledge or mortgage all the property, tolls and income of the Company or any part thereof, for the re-payment of the monies so raised or borrowed and the interest thereon: Provided always, that the consent of three-fourths in 5 value of the Stockholders of the Company shall be first had and obtained at a special meeting to be called and held for that purpose. Provido.

XIV. The said City and the said adjoining Municipalities or any of them, and the said Company, are respectively hereby authorized to make and to enter into any agreement or covenants relating to the construction 10 of the said Railway, for the paving, macadamising, repairing and grading of the streets or highways, and the construction, opening of and repairing of drains or sewers, and the laying of gas and water pipes in the said streets and highways—the location of the railway and the particular streets along which the same shall be laid—the pattern 15 of rail—the time and speed of running of the cars—the amount of licence to be paid by the Company annually—the amount of fares to be paid by passengers—the time within which the works are to be commenced—the manner of proceeding with the same and the time for completion—and generally for the safety and convenience of passengers— 20 the conduct of the agents and servants of the Company, and the non-obstructing and impeding of the ordinary traffic. The City and Municipalities may agree with the Company as to certain matters

XV. The said By-law No. 526 of the Corporation of the City of Montreal is hereby confirmed, and the provisions thereof shall be binding 25 upon the said Corporation and upon the said Company to the same extent as if the same were incorporated into this Act, and the said City and the said Municipalities are hereby authorized to pass any further By-law or By-laws, and to amend, repeal and enact the same for the purpose of carrying into effect any such agreements or covenants, and 30 containing all necessary clauses, provisions, rules and regulations, for the conduct of all parties concerned, and for the enjoining obedience thereto, —and also for the facilitating the running of the Company's cars, and for regulating the traffic and conduct of all persons travelling upon the streets and highways through which the said Railway may pass: Provided 35 also, that no such further By-law or By-laws, shall infringe upon the privileges granted to the said Company by the said By-law, No. 26, and by this Act. City and Municipalities may pass By-laws for giving effect to such agreement

This Act shall be deemed a Public Act.

Public Act.