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No. 21.

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3rd Session, 1st Parliament, 33 Victoria, 1870.

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BILL.

An Act to incorporate the Montreal and  
Champlain Junction Railway Company.

PRIVATE BILL.

MR. SCRIVER.

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OTTAWA :

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

1870.

An Act to incorporate the Montreal and Champlain  
Junction Railway Company.

**W**HEREAS, the persons hereinafter named, and others, have Preamble.  
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  
5 advantage of the Dominion of Canada, 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: -

1. The Montreal and Champlain Junction Railway, is hereby Incorporation  
and corporate  
name.  
10 declared to be a work for the general advantage of Canada.

2. The Honorable Christopher Dunkin, the Honorable James  
Ferrier, Charles John Brydges, Samuel Willard Foster, and Julius  
Scriver, M. P., Esquires, with all such other persons and corporations  
as shall become shareholders in the Company hereby incorporated,  
15 shall be and are hereby constituted a body corporate and politic, by  
the name of "The Montreal and Champlain Junction Railway  
Company,"

3. The said Company and their Agents and servants, may lay Line of the  
Railway.  
out, construct, and finish a double or single track iron Railway, of  
20 such width or gauge as the Company see fit, from some point on the  
Caughnawaga portion of the Montreal and Champlain Railroad, at  
the Village of St. Rémi, or at some point between the Village of  
St. Rémi and St. Isidore Station, to some point on the St. Lam-  
bert line of the said Railroad between St. John's and St. Lambert.

4. The Capital Stock of the said Company shall not exceed in the  
whole the sum of two hundred and fifty thousand dollars to be divi- Capital stock  
and shares  
and how to  
be applied.  
ded into two thousand five hundred 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  
30 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  
35 making, completing and maintaining the said Railway, and other  
purposes of this Act.

5. The Honorable Christopher Dunkin, the Honorable James Certain manu-  
facturing, &c.  
companies  
may take  
stock.  
Ferrier, Charles John Brydges, Samuel Willard Foster, and Julius  
Scriver, Esquires, shall be, and are hereby constituted a Board of  
40 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.

**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.

First Directors and their powers. 5

**7.** 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 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 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 first Monday in September in the year following their election.

Subscriptions for stock. 10

**8.** On the said first Monday in September, and on the first 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 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 City of Montreal; and the elections for 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.

Annual election of directors. 20

**9.** Three 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.

Quorum of directors, &c. 25

Qualification. 35

**10.** 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.

One vote for each share. 40

**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, no such instalment exceeding ten per cent. and giving one month's notice thereof, in such manner as the Directors may appoint.

Calls on Shares. 45

**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, 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

Forms of deeds of lands to the Company, and registration thereof. 50

A, one to be printed on each page, leaving the necessary blanks to suit the circumstances on 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 en-  
5 registration or entry on the Deed, and the Registrar shall charge and receive from the said Company for all fees, on every such en- 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.

- 10 13. The said Company shall have power and authority to be-  
come 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  
15 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  
20 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 Direc-  
25 tors 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.
- 30 14. 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 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-  
35 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 *hypothèque*  
40 upon the said Railway without registration; provided, however,  
that no such Bonds 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  
45 upon such Bonds shall not exceed one hundred and twenty-five  
thousand dollars.

15. 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  
50 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  
a right to sell the same forthwith, on the certificate of two com-  
petent persons establishing the fact of their being so perishable;  
and if such goods are not of a perishable nature, and shall remain  
55 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 pro-

Company may  
become parties  
to notes  
&c.

Proviso.

Bonds for  
raising money  
by loan,  
bearing hypo-  
thec.

Proviso.

Proviso.

Enforcing  
payment of  
freight on  
goods.

ceeds of the sale, after paying the freight and cost of sale, shall be handed over to the owner if he shall claim the same.

Agreements  
with other  
Companies.

16. It shall be lawful for the said Company to enter into an agreement with the Montreal and Champlain Railway Company; or the Grand Trunk Railway Company of Canada, for leasing the 5 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 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 10 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 such agreement shall be valid and binding, and 15 shall be enforced by Courts of Law, according to the terms and tenor thereof.

Aliens may  
vote, &c.

17. Any Shareholder in the said Company, whether a British subject or alien, or a resident in Canada or elsewhere, has and shall have equal rights to hold stock in the said Company, and to 20 vote on the same and to be eligible to office in the said Company.

#### 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 Montreal and Champlain Junction Railway Company, the receipt whereof is hereby acknowledge, grant, bargain, sell and convey unto the said 25 Montreal and Champlain Junction Railway Company, their successors and assigns, all that tract or parcel of land (*described 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 30 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.

35

[L.S.]